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BY EMAIL

February 3, 2021

Christine E. Long
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
registrar@oeb.ca

Dear Ms. Long:

**Re: Enbridge Gas Inc. (Enbridge Gas)
2021/2022 Storage Enhancement Project
OEB Staff Interrogatories
OEB File Number: EB-2020-0256**

In accordance with Procedural Order No. 1, please find attached the OEB Staff Interrogatories in the above noted proceeding. The attached document has been sent to the applicant and to all other registered parties to this proceeding.

Please note that responses to interrogatories, including supporting documentation, must not include personal information unless filed in accordance with rule 9A of the OEB's Rules of Practice and Procedure.

Yours truly,

Project Advisor, Natural Gas Applications

Encl.



OEB Staff Interrogatories

2021/22 Storage Enhancement Project

Enbridge Gas Inc.

EB-2020-0256

February 3, 2021

Staff-1

Ref: Exh B/Tab 1/Sch1/p.2,5

Preamble:

The Project involves increasing the maximum operating pressure (MOP) in the Ladysmith Storage Pool to a maximum pressure gradient of 16.5 kPa/m (0.73 psi/ft) and increasing the MOP in the Corunna Storage Pool and the Seckerton Storage Pool (collectively, the Pools) to a maximum pressure gradient of 17.2 kPa/m (0.76 psi/ft) during the 2021 injection season. The additional 8,100 10m³ per day of deliverability and storage capacity will be sold as part of Enbridge Gas's unregulated storage portfolio.

The Project includes the installation of the installation of emergency shut-down valves, master valves, and wellheads at the Corunna and Seckerton pools, and the installation of a control valve at the Ladysmith Station.

Questions:

- a) Please comment on any expressions of interest received to date for incremental unregulated storage deliverability and capacity that would be derived from this Project.
- b) Please provide a summary of the forecast long-term demand in Ontario for regulated and unregulated storage space and deliverability annually, starting in 2020. Please provide any studies or other sources of information (or links, if publicly available) used for the forecast.
- c) Please provide the split of the current capacity of the Pools between regulated and unregulated storage customers.
- d) Please confirm that the proposed facilities (i.e., upgraded wellheads and new emergency shutdown valves and control valve) will not benefit regulated customers. If this cannot be confirmed, please explain.
- e) If regulated customers will benefit from the proposed facilities, please provide a complete breakdown of all capital costs associated with the Project and the proportion of those capital costs that would be allocated to the regulated storage operations.

Staff-2

Ref: Exh B/Tab 1/Sch1/p.3

Preamble:

The OEB Act permits the OEB, when making an order, to “impose such conditions as it considers proper.”¹ In its application, Enbridge Gas states that the following condition was attached to the OEB's approval in the EB-2020-0074 proceeding:

¹ OEB Act, s. 23

Enbridge Gas Inc. shall not operate the Black Creek, Coveny and Wilkesport natural gas storage pools above operating pressures representing a pressure gradient of 17.2 kPa/m (0.76 psi/ft) of depth without leave of the OEB.

Enbridge Gas states that it will accept a similar condition for the Ladysmith, Corunna and Seckerton Pools, recognizing that Enbridge Gas is proposing to increase the operating pressure at Ladysmith to 16.5 kPa/m (0.73 psi/ft) and at Corunna and Seckerton Pools to 17.2 kPa/m (0.76 psi/ft).

If the OEB approves Enbridge Gas's requested increases to MOP of the Pools, OEB staff proposes the following condition:

Enbridge Gas Inc. shall not operate the Ladysmith natural gas pool above the pressure gradient of 16.5 kPa/m (0.73 psi/ft) depth and the Corunna and Seckerton natural gas pools above the pressure gradient of 17.2 kPa/m (0.76 psi/ft) depth without leave of the OEB.

Question:

- a) Does Enbridge Gas have any objection to the OEB imposing the above noted condition of approval? If so, please explain Enbridge Gas' opposition to such a condition and provide any proposed alternative wording for the condition.

Staff-3

Ref: Exh B/Tab 1/Sch1/p.1

Preamble:

The Project is the second phase of a larger project to increase deliverability and storage capacity at Enbridge Gas's storage facilities.

Questions:

- a) Please provide the studies or models (or links, if publicly available) that form the basis for Enbridge Gas's assessment and selection of the Pools as the preferred options for meeting the identified needs. Please summarize and define the criteria used to select the Pools for the Project.
- b) Please advise as to whether there will be any additional phases of the project. Please provide an updated project summary similar to the one provided in OEB Staff Interrogatory 3(a) in EB-2020-0074 outlining the types of work (e.g., delta pressuring, well drilling, pipeline construction), pool names and locations, increased capacity per pool, possible timing, estimated costs, proposed treatment of costs (i.e., allocation between regulated and unregulated operations), expected land use

- requirements, unusual environmental concerns, and any potential Indigenous consultation concerns for any future additional storage enhancement projects.
- c) If Enbridge Gas intends to undertake this project in phases, please provide Enbridge Gas's rationale for enhancing deliverability in more than one phase. Please address, without limitation, business, economic, environmental, and cost aspects, as well as technical and operational aspects of the multi-phase plan. Would there be any efficiencies gained by addressing the full demand at once (e.g., from the perspectives of regulatory approvals, permits, consultations, construction, etc.)?
 - d) As this is the second phase of a larger project to increase deliverability and storage capacity at Enbridge Gas's storage facilities, has Enbridge Gas conducted any analysis regarding the impact of increasing the MOP in Enbridge Gas pools on lost and unaccounted-for gas? If so, please describe the analysis undertaken and any findings. To the extent that increased pressure gradient may result in higher lost and unaccounted for gas, is Enbridge proposing that the resulting costs also be allocated to the unregulated storage operations? Please explain.
 - e) Enbridge Gas states that all costs associated with the Project will be captured in the unregulated accounts and that no costs of the Project will be charged to the regulated utility accounts. Does that include all direct and indirect costs (e.g. indirect overhead costs) associated with the Project? Please explain how and when indirect costs would be allocated to the unregulated storage operations.

Staff-4

Ref: Exh B/Tab1/Sch 1/p.4 and Exh H/ Tab 1/Sch 1/p.1,2

Preamble:

Section 10 of the *Oil, Gas and Salt Resources of Ontario, Provincial Operating Standards* requires that facilities for storage of hydrocarbons in underground formations shall be designed, constructed, operated, maintained and abandoned in accordance with CSA Standard Z341 – *Storage of Hydrocarbons in Underground Formations* (CSA Z341).

As a condition of approval in past proceedings, the OEB has required that the applicant conform with the relevant requirements of the CSA Z341 to the satisfaction of the Ministry of Natural Resources and Forestry (MNRF). In its application, Enbridge Gas has acknowledged this requirement.

Enbridge Gas states that the following technical information was provided to the MNRF on November 10, 2020 for the proposed drilling operation and for the proposed elevation of the MOP:

- i. Engineering studies completed by Geofirma confirming that the maximum safe operating pressure exceeds 16.5 kPa/m for the Ladysmith Storage Pool and 17.2 kPa/m for the Corunna and Seckerton Storage Pools.
- ii. An Assessment of Neighbouring Activities for the Corunna Storage Pool, the Ladysmith Storage Pool, and the Seckerton Storage Pool

iii. "What If" Analysis of hazards and operability for each of the Pools.

Questions:

- a) What is the anticipated timeline for MNRF's review and provision of its comments and conclusion on compliance with CSA Z341?
- b) Has Enbridge Gas had any discussions with the MNRF in this regard? If so, please provide a summary of those discussions.
- c) Does Enbridge Gas have any objection to the OEB imposing a condition of approval that requires Enbridge Gas to conform to the relevant requirements of CSA Z341 to the satisfaction of the MNRF? If so, please explain Enbridge Gas's opposition to such a condition.
- d) The facilities addressed by CSA Z341 include wells, well heads, subsurface equipment, and safety equipment (including monitoring, control, and emergency shutdown systems). Does Enbridge Gas accept that as operator of these facilities it has a responsibility to ensure that all safety and environmental issues are addressed and that it will comply with the *Oil, Gas and Salt Resources of Ontario Act*, O. Reg. 245/97 and CSA Z341?

Staff-5

Ref: Exh C/Tab 1/Sch 1/p.3

Preamble:

The application states that the Environmental Report (ER) was provided to the Ontario Pipeline Coordinating Committee (OPCC) and other applicable agencies on October 5, 2020. As part of its application, Enbridge Gas submitted comments it had received from the Ministry of the Environment, Conservation and Parks (MECP), Infrastructure Ontario (IO), and Hydro One Networks Inc. (HONI).

Enbridge Gas states that after the ER was completed, there were two changes to the scope of the project. First, the two new A-1 observation wells (TL 8 and TC 8) are no longer included as part of the project. Second, the existing Payne Storage Pool pipeline and Ladysmith Storage Pool pipeline were proposed to be connected at a new Crossover Station adjacent to the existing Payne/Kimball Station. Now, the two pipelines are proposed to be connected by re-routing the Ladysmith Storage Pool Pipeline into the Payne/Kimball Station. Enbridge Gas states that these changes do not affect the mitigation measures proposed in the ER as the two observation wells will be removed from the project and the proposed pipeline connection will be in the same general location as the formerly proposed Crossover Station.

Questions:

- a) Please file an update of the comments (in tabular format) that Enbridge Gas received as part of the OPCC review and in any public consultation since the application was filed. Please include the dates of communication, the issues and concerns identified by the parties, as well as Enbridge Gas's responses and actions to address these issues and concerns.
- b) Please confirm that Enbridge Gas has made the OPCC and other applicable agencies aware of the scope changes and provide any comments received from the OPCC regarding these changes.

Staff-6

Ref: Environmental Report, Exh C/Tab 1/Sch 1/p.3 and Attachment 2

Preamble:

The ER states the following:

Based on electricity infrastructure layers available, Hydro One transmission lines and easements are present in the project study area. The proposed works at TL 9H will require a drill rig to cross under large tower transmission lines to access the site. Approval from Hydro One may be required. Further, current discussions with the landowner are ongoing to determine a suitable location for a permanent laneway crossing under hydro transmission lines at TL 8. In addition, the Preferred Pipeline Route will cross through a Hydro One easement in which a crossing agreement may also be required. Lastly, the proposed works for the Crossover Station may encroach in an existing Hydro One easement, however, while at the time of writing this report, the design details for this site have not determined the encroachment level.

Attachment 2 which contains a summary of comments by agencies and responses by Enbridge Gas states that Hydro One requested that Enbridge Gas set up a meeting to discuss the project in more detail and Enbridge Gas had responded to this request by sending Hydro One proposed meetings dates and times to review the Project in more detail.

Questions:

- a) Please provide an update on any discussions that Enbridge Gas has had with Hydro One since the application was filed. Please include the dates of communication, the issues and concerns identified by Hydro One, as well as Enbridge Gas's responses and actions to address these issues and concerns.
- b) Please provide information on agreements that have been reached between Enbridge Gas and Hydro One regarding Hydro One property or infrastructure that is impacted by the Project.

Staff-7

Ref: Exh C/Tab 1/Sch 1/p.3

Preamble:

The application states that a Stage 1 Archaeological Assessment (AA) for the project was completed by Aecom. The AA determined that the potential for the recovery of both First Nation and Euro-Canadian archaeological resources within the current study area is high, and that a Stage 2 AA is recommended for all areas of potentially undisturbed land within the study area limits. The Stage 2 AA will commence in Fall 2020 and a clearance letter from the Ministry of Heritage, Sport, Tourism and Cultural Industries (MHSTCI) will be obtained prior to construction.

Questions:

- a) Please confirm whether the completed Stage 1 AA report has been submitted to the MHSTCI for review and inclusion into the *Ontario Public Register of Archaeological Reports*.
- b) Please provide an update on status of the MHSTCI's review of the Stage 1 AA and when Enbridge Gas expects a response from the MHSTCI with respect to the Stage 1 AA.
- c) Please provide details of the planned archaeological assessment, including when this will be completed and when Enbridge Gas expects to submit its Stage 2 AA to the MHSTCI for review.
- d) Please indicate when Enbridge Gas anticipates a response from the MHSTCI with respect to the Stage 2 AA.
- e) Please indicate the timeline by which Enbridge Gas must receive archaeological assessment approval from the MHSTCI to start the project on time.
- f) Please comment on the implications for the project if Enbridge Gas is unable to receive approval from the MHSTCI before the timeline specified in part (e).

Staff-8

Ref: Exh F/Tab 1/Sch 1/p.1,2

Preamble:

In accordance with the OEB's Environmental Guidelines, Enbridge Gas contacted the Ministry of Energy Northern Development and Mines (MENDM) in respect to the Crown's duty to consult related to the Project on April 17, 2020. The MENDM by way of a letter delegated the procedural aspects of the Crown's Duty to Consult for the Project to Enbridge on June 17, 2020 (Delegation Letter). The MENDM identified five Indigenous communities² that Enbridge Gas should consult in relation to the Project.

² Aamjiwnaang First Nation, Bkejwanong (Walpole Island First Nation), Chippewas of the Thames First Nation, Chippewas of Kettle and Stony Point, Oneida Nation of the Thames

Enbridge Gas provided the MENDM with its Indigenous Consultation Report for the Project and is awaiting a letter of opinion from the MENDM regarding the adequacy of procedural aspects of the duty to consult.

Questions:

- a) Please provide an update on Indigenous consultation activities since the application was filed.
- b) Please summarize all the issues and concerns raised by the Indigenous communities in the process of Indigenous consultation to date and describe Enbridge Gas's plans, actions, and commitments to address these concerns and resolve the outstanding issues.
- c) Please update the evidence with any correspondence between the MENDM and Enbridge Gas since the application was filed, regarding the MENDM's review of Enbridge Gas's consultation activities.
- d) Please indicate when Enbridge Gas expects to receive a letter of opinion from the MENDM on the adequacy of procedural aspects of Indigenous consultation undertaken by Enbridge Gas for the project.

Staff-9

Ref: Exh B/Tab 1/Sch 1/p. 15

Preamble:

Enbridge Gas is proposing to re-route the NPS 20 Ladysmith Transmission pipeline to connect the Payne pipeline and the Ladysmith pipeline, within the existing Kimball-Payne Station. A section of the existing NPS 20 Ladysmith Transmission pipeline will be removed and two short segments of NPS 20 pipeline, totaling 79 metres, will be installed. The proposed pipeline will be located on private property and an easement will have to be negotiated with the landowner.

Questions:

- a) Please provide an update on negotiations with the private landowner for obtaining an easement, including any concerns that have been expressed by the landowner with respect to the proposed project.
- b) Does Enbridge Gas expect to obtain the required easement prior to the commencement of construction? If not, please explain.

Staff-10

Ref: Exh C/Tab 1/Sch 1/p. Exh E/Tab 1/Sch 1/p.2,3

Preamble:

In its application, Enbridge Gas indicates that for the Crossover station installation, a temporary land use (TLU) agreement and approximately 0.38 acres permanent easement will be required and approximately 0.7 acres of land will need to be purchased. Enbridge Gas states that negotiations are ongoing with the landowner.

Questions:

- a) Based on the statements made by Enbridge Gas in Exhibit C of the application, it appears that installation of the Crossover Station is no longer being pursued. If this is correct, are the permanent easement, TLU agreement and land purchase as indicated above in Exhibit E of the application still required?
- b) If these lands are still required, please explain why they are required, and:
 - i. Please provide an update on discussions/negotiations with the affected landowner(s).
 - ii. Please include any concerns that have been expressed by the landowner(s) with respect to the proposed project.
 - iii. Please provide an indication of when the land purchase agreement will be executed.

Staff-11

Ref.: Exh E/Tab 1/Sch 1, p.3

Preamble:

Enbridge Gas states that its land agents have contacted the parties directly impacted by the Project. In the case of well TL 9H, station upgrade, bi-direction valve & station piping, the party is a tenant farmer.

Questions:

- a) Please provide an update on discussions/negotiations with the tenant farmer. Please include any concerns that have been expressed by the tenant farmer with respect to the proposed project.
- b) Please provide any evidence (e.g. letter of acknowledgment) signed by the tenant farmer that demonstrates agreement to the location of the proposed facilities and no objection to the commencement of drilling of the well and construction of associated facilities.

Staff-12

Ref.: Exh E/Tab 1/Sch 1, p.4,5

Preamble:

Enbridge Gas states that for the 2.2 km NPS 24 pipeline, eight properties will be affected by the pipeline, one of which Enbridge Gas owns and rents to a local farmer. Enbridge Gas states that the local farmer has been notified. The other 7 properties are owned by 6 landowners who have all been notified and negotiations for TLU agreement and an easement are ongoing.

Enbridge Gas stated that it received a letter informing it that the six third party landowners have engaged the Canadian Association of Energy and Pipeline Landowner Associations (CAEPLA) to represent their interests. The application states that Enbridge Gas is planning to have a preliminary meeting with CAEPLA the week of November 23, 2020.

Questions:

- a) Please provide an update on discussions/negotiations with respect to obtaining the required easement and executing the TLU agreement with the affected landowner(s)? Please include any concerns that have been expressed by the landowner(s) with respect to the proposed project and any responses provided to address these concerns and any outstanding concerns.
- b) Please confirm that Enbridge Gas will obtain the required easements and execute the necessary TLU agreements prior to the commencement of construction? If not, please explain.

Staff-13

Ref.: Exh E/Tab 2/Sch 1, 2

Preamble:

Exhibit E contains forms of agreement that Enbridge Gas is proposing to offer to landowners directly affected by the Project.

Section 97 of the OEB Act provides that leave under section 90 shall not be granted until the OEB is satisfied that an applicant has offered or will offer each owner of land affected by the approved route or location an agreement in a form approved by the OEB.

Questions:

- a) Have the forms of agreement shown in Exhibit E been previously approved by the OEB? If so, in which proceedings?
- b) Does Enbridge Gas anticipate any difficulties with obtaining from any of the directly affected landowners any permits, easements or executing any land purchase or TLU

agreements required for the construction of the Project? If so, please provide a detailed explanation.

- c) Does Enbridge Gas expect to obtain all required permits, easement agreements and execute all land purchase and TLU agreements prior to construction of the Project? If not, please explain.

Staff-14

Ref.: Exh A/Tab 2/Sch 1, p.4

Preamble:

In order to meet the proposed in-service date of November 2021 and to commence construction activities in April 2021, Enbridge Gas requests the OEB to issue the requested approvals and report to the MNRF by the end of March 2021.

Question:

- a) Please comment on the implications for the Project if Enbridge Gas does not receive approval from the OEB by the end of March 2021. What is the latest time by which approval from the OEB is required in order to meet the November 2021 in-service date?

Staff-15

Ref.: Exh B/Tab 1/Sch 1, p.11

Preamble:

Enbridge Gas states that the drilling of one horizontal gas storage well TL 9H is required to increase the deliverability from the Ladysmith Storage Pool.

Questions:

- a) Please provide information on the incremental deliverability (in GJ/day) that is expected to be provided from the drilling and operation of the proposed well.
- b) Please confirm whether the incremental deliverability from this well is required to fulfil any particular long term contracts that Enbridge Gas has entered/expects to enter into or for any particular facilities. Please provide an explanation.

Staff-16

Ref.: Exh A/Tab 2/Sch 1, p.3

Preamble:

Enbridge Gas states that it is proposing to construct the following gathering pipelines:

- a. install approximately 70 metres of new NPS 10 steel pipeline to connect the proposed TL 9H well to the Ladysmith gathering lines
- b. upgrade approximately 200 metres of the existing Ladysmith NPS 16 gathering pipelines to NPS 20
- c. re-route approximately 150 metres of the NPS 20 Ladysmith transmission pipeline to connect the Payne pipeline and the Ladysmith pipeline within the existing Kimball-Payne Station
- d. install 2.2 kilometres of NPS 24 steel pipeline to connect the Payne Compressor Station to the Corunna Compressor Station

Questions:

- a) Does Enbridge Gas consider that leave to construct approval from the OEB is required for the pipeline construction proposed in a.? If so, please explain.
- b) Is the upgrade proposed in b. specifically required to accommodate the increased pressure from the Ladysmith Storage Pool?
- c) Please explain why the re-routing work proposed in c. is required.
- d) Please explain why the 2.2 km pipeline proposed in d. is required.

Staff-17

Ref.: Exh B/Tab 1/Sch 1, p.18

Preamble:

Enbridge Gas states that modifications to the existing Payne-Kimball Station are required to provide a connection between the Payne Storage Pool pipeline and the Ladysmith Storage Pool pipeline. The modifications will route and control gas from the Ladysmith Storage Pool to the Dawn Compressor Station via the Payne Storage Pool pipeline. Control valves will be installed to allow the higher pressure gas (1440 psig) from the Ladysmith Storage Pool to be reduced to the MOP (1000 psig) of the Payne Storage Pool pipeline and will allow the flow of gas from the Ladysmith Storage Pool to the Dawn Compressor Station via the Payne Storage Pool pipeline.

The proposed crossover will also have the function of routing gas between the Dawn Compressor Station, the Corunna Compressor Station, the Payne Storage Pool, and

the Ladysmith Storage Pool. The crossover installation will involve the installation of piping and valving between the two pipelines and the re-routing of approximately 150m of the existing Ladysmith NPS 20-inch steel pipeline.

Questions:

- a) Are these modifications limited to the installation of control valves or is there other work contemplated as part of the required modifications?
- b) Please explain why these modifications are necessary.
- c) Please confirm whether Enbridge Gas will undertake the crossover installation work. If not, please explain how the re-routing work is sufficient for routing gas as Enbridge Gas has proposed.

Staff-18

Ref.: Exh A/Tab 2/Sch 1

Preamble:

Enbridge Gas has applied for a well drilling licence under section 40(1) of the OEB Act. Should the OEB determine that it is appropriate to do so it would issue a favourable report to the Minister of Natural Resources and Forestry recommending the issuance of a well licence and may also recommend certain conditions.

Question:

Please comment on the attached OEB staff proposed conditions of approval. Please note that these conditions are draft and subject to additions or changes.

**Application under Section 40 of the OEB Act
Enbridge Gas Inc. EB-2020-0256
DRAFT CONDITIONS OF APPROVAL**

- 1. Enbridge Gas Inc. (Enbridge Gas) shall rely on the evidence filed with the OEB in the EB-2020-0256 proceeding and comply with applicable laws, regulations and codes pertaining to the construction of the proposed well.
- 2. The authority granted under this licence to Enbridge Gas is not transferable to another party without leave of the OEB. For the purpose of this condition another party is any party except Enbridge Gas.
- 3. Enbridge Gas shall construct the facilities and restore the land in accordance with its application and evidence given to the OEB, except as modified by this licence and these Conditions.

4. Enbridge Gas shall implement all the recommendations of the Environmental Report filed in the proceeding.
5. Enbridge Gas shall ensure that the movement of equipment is carried out in compliance with all procedures filed with the OEB, and as follows:
 - a) Enbridge Gas shall make reasonable efforts to keep the affected landowner(s) as well as adjacent landowners and their respective tenant farmers, or their designated representatives, informed of its plans and construction activities.
 - b) The installation of facilities and construction shall be coordinated to minimize disruption of agricultural land and agricultural activities.
6. Enbridge Gas shall, subject to the recommendation by an independent tile contractor and subject to the landowner's approval, construct upstream and downstream drainage headers adjacent to the drilling area and access roads that cross existing systematic drainage tiles, prior to the delivery of heavy equipment, so that continual drainage will be maintained.
7. Both during and after construction, Enbridge Gas shall monitor the impacts of construction, and shall file with the OEB one electronic (searchable PDF) version of each of the following reports:
 - a) A Post Construction Report, within three months of the in-service date, which shall:
 - i. Provide a certification, by a senior executive of the company, of Enbridge Gas's adherence to Condition 1
 - ii. Describe any impacts and outstanding concerns identified during construction
 - iii. Describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction
 - iv. Include a log of all complaints received by Enbridge Gas, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions
 - v. Provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licences, and certificates required to construct, operate, and maintain the proposed project
 - b) A Final Monitoring Report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
 - i. Provide a certification, by a senior executive of the company, of Enbridge's adherence to Condition 1
 - ii. Describe the condition of any rehabilitated land
 - iii. Describe the effectiveness of any actions taken to prevent or mitigate any identified impacts during construction
 - iv. Include the results of analyses and monitoring programs and any recommendations arising therefrom

- v. Include a log of all complaints received by Enbridge Gas, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions
8. For the purposes of these conditions, conformity of Enbridge Gas:
- a) With CSA Z341.1-18 "Storage of Hydrocarbons in Underground Formations" shall be to the satisfaction of the Ministry of Natural Resources and Forestry (MNRF)
 - b) With the requirements for wells as specified in the *Oil, Gas and Salt Resources Act*, its Regulation 245/97, and the Provincial Operating Standards v.2 shall be to the satisfaction of the MNRF
9. Enbridge Gas shall designate one of its employees as project manager who will be responsible for the fulfillment of these conditions, shall provide the employee's name and contact information to the MNRF, the OEB and to all the appropriate landowners, and shall clearly post the project manager's contact information in a prominent place at the construction site.

Staff-19

Ref.: Exh A/Tab 2/Sch 1

Preamble:

Enbridge Gas has applied for leave to construct facilities under section 90(1) of the OEB Act.

Question:

- a) Please comment on the draft conditions of approval proposed by OEB staff. If Enbridge Gas does not agree with any of the draft conditions of approval, please identify the specific conditions that Enbridge Gas disagrees with. Explain the rationale for disagreement and for any proposed changes or amendments.

**Application under Section 90 of the OEB Act
Enbridge Gas Inc. EB-2020-0256
DRAFT CONDITIONS OF APPROVAL**

- 1. Enbridge Gas Inc. (Enbridge Gas) shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in EB-2020-0256 and these Conditions of Approval.
- 2. (a) Authorization for leave to construct shall terminate 12 months after the decision is issued, unless construction has commenced prior to that date.

- (b) Enbridge Gas shall give the OEB notice in writing:
 - i. of the commencement of construction, at least ten days prior to the date construction commences
 - ii. of the planned in-service date, at least ten days prior to the date the facilities go into service
 - iii. of the date on which construction was completed, no later than 10 days following the completion of construction
 - iv. of the in-service date, no later than 10 days after the facilities go into service
- 3. Enbridge Gas shall obtain all necessary approvals, permits, licences, certificates, agreements and rights required to construct, operate and maintain the Project.
- 4. Enbridge Gas shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review.
- 5. Enbridge Gas shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, Enbridge Gas shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.
- 6. Both during and after construction, Enbridge Gas shall monitor the impacts of construction, and shall file with the OEB one electronic (searchable PDF) version of each of the following reports:
 - (a) A post construction report, within three months of the in-service date, which shall:
 - i. provide a certification, by a senior executive of the company, of Enbridge Gas's adherence to Condition 1
 - ii. describe any impacts and outstanding concerns identified during construction
 - iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction
 - iv. include a log of all complaints received by Enbridge Gas, including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions
 - v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate, and maintain the proposed project
 - (b) A final monitoring report, no later than fifteen months after the in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:
 - i. provide a certification, by a senior executive of the company, of Enbridge Gas' adherence to Condition 5
 - ii. describe the condition of any rehabilitated land
 - iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction

- iv. include the results of analyses and monitoring programs and any recommendations arising therefrom
 - v. include a log of all complaints received by Enbridge Gas, including the date/time the complaint was received; a description of the complaint; any actions taken to address the complaint; and the rationale for taking such actions
7. Enbridge Gas shall designate one of its employees as project manager who will be responsible for the fulfillment of these conditions, and shall provide the employee's name and contact information to the OEB and to all the appropriate landowners, and shall clearly post the project manager's contact information in a prominent place at the construction site.