

BY E-MAIL

February 4, 2021

Ms. Christine E. Long  
Board Secretary and Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto ON M4P 1E4  
[Registrar@oeb.ca](mailto:Registrar@oeb.ca)

Dear Ms. Long:

**Re: Lagasco Inc.  
Classification of Pipelines in Haldimand County  
OEB Staff Interrogatories to the Municipal Property Assessment Corporation  
OEB File No. EB-2019-0166**

In accordance with Procedural Order No. 7, please find attached the OEB staff interrogatories to the Municipal Property Assessment Corporation (MPAC) on its new evidence in this proceeding. This document has been sent to MPAC and copied to Lagasco Inc. and all intervenors.

Yours truly,



Ritchie Murray  
Project Advisor

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Encl.

**LAGASCO INC.  
CLASSIFICATION OF PIPELINES IN HALDIMAND COUNTY  
EB-2019-0166**

**OEB STAFF INTERROGATORIES TO  
THE MUNICIPAL PROPERTY ASSESSMENT CORPORATION**

**OEB Staff No. 1**

**Ref.:** OPI Evidence, Affidavit of J. McIntosh sworn December 30, 2020  
MPAC Evidence, Affidavit of R. Ford sworn January 26, 2021  
MPAC response to OEB staff interrogatories 3(e) and 3(d)

**Preamble**

At paragraph 7 of the OPI Evidence it is stated that, "The only occasion on which MPAC ever requested a listing of "Pipelines" from TAQA was by way of a letter dated February, 2019". It is further stated that, "TAQA had requested a reassessment of MPAC's "Pipeline" assessments together with a request as to how the value for "Pipelines" are determined prior to receiving this letter from MPAC."

In paragraph 3 of the MPAC Evidence, it is confirmed that the TAQA pipelines referred to in the OPI Evidence are roll numbers 32 45 010 040 09400 0000 (Township of Blandford/Blenheim) and 32 38 020 020 60200 0000 (Township of East Zorra/Tavistock). In paragraph 8 of the MPAC Evidence, it is stated that "the pipe lines had already been placed on the roll and assessed since the 1990s".

In response to an interrogatory, MPAC explained that it receives extensive amounts of records, and that once the first post-designation assessment has been made and not appealed, there is no need for MPAC to retain the designation document(s) in its files.

**Questions**

- a) How is the requirement for owner designation of transmission pipelines under section 25(1) of the Assessment Act communicated to owners? Please address the following in the response:

- Is there standard listing of information requirements that is given to pipeline owners to indicate what is required for assessment purposes?
  - Does MPAC have a specific document or form that is required from an owner to designate a pipeline as a transmission pipeline? If so, please provide a copy of the form or document that would have been required from the owners of the TAQA pipelines and the Lagasco pipelines to designate their pipelines? If there is no form or document, how is owner designation accomplished?
  - Does MPAC consider that the provision of information from an owner that a pipeline has been installed and a description and information concerning the pipeline is sufficient to constitute owner designation of the pipeline as a transmission pipeline? Please explain.
  - Does MPAC ever assess new pipelines as transmission pipelines without specific owner-expressed designation? If so, then please explain.
- b) Please confirm that it is MPAC's position that the two TAQA pipelines in question were designated in or before the 1990s. If not, then please explain.
- c) Please confirm that the first post-designation assessment for the two TAQA pipelines in question was not appealed. If it was, then please identify the month and year of the appeal and provide a summary of the outcome of the appeal.
- d) If the previous question is confirmed, please confirm that it is MPAC's position that, once the first post-designation assessment was made for the two TAQA pipelines in question and not appealed, there was no need for MPAC to retain the designation document(s) in its files. If not, then please explain.
- e) Please confirm that, according to MPAC's document retention policy, any records associated with the designation of the two TAQA pipelines have been destroyed. If not, then please provide evidence of the designation.
- f) Please confirm that MPAC does not have any record of owner designation for either the Lagasco pipelines that are the subject of this proceeding or the two TAQA pipelines.

**OEB Staff No. 2**

**Ref.:** MPAC Evidence, Affidavit of R. Ford sworn July 29, 2020

### **Preamble**

In paragraph 7 of the July 2020 affidavit, it is stated that the February 2019 letter attached as Exhibit A was part of a larger scale MPAC mailout to various pipeline companies to obtain updated information about their pipelines.

### **Questions**

- a) How often and for what reasons does MPAC undertake large scale mailouts?
- b) For what reasons are pipeline companies selected to receive a mailout, and what are the most common of those reasons? Would notice received by MPAC from a municipality regarding non-payment of taxes be one of the reasons? If so, is the municipality informed of MPAC's efforts regarding the mail-out, any subsequent follow-up, and any resolution?
- c) Do all companies that do not respond to the initial mail-out receive a reminder letter? What follow up steps does MPAC take with non-responding companies? Are records kept of non-responders and if so, for how long?

### **OEB Staff No. 3**

**Ref.:** MPAC Evidence, Affidavit of R. Ford sworn July 29, 2020  
MPAC Evidence, Affidavit of R. Ford sworn January 26, 2021

### **Preamble**

In paragraph 9 of the July 2020 affidavit, it is stated:

MPAC's standard procedure when advised by owners that they have installed new pipe lines is to confirm the location, type, pipe diameter and length, and year installed. Once this information has been confirmed, MPAC adds the new pipe line to the assessment roll for the municipality.

In paragraph 5 of the January 2021 affidavit, it is stated:

... MPAC's standard practice for assessing pipe lines ... relies on receiving information in accordance with the reporting requirements under s. 25 of the Assessment Act. Where a pipe line company fails to provide that information, MPAC will index their existing pipe line values

to reflect changes from one assessment cycle to the next. This approach is only applied in those cases where MPAC has been unable to obtain the necessary information from the owner directly.

There is no mention of a practice of indexing pipeline values in MPAC's July 2020 evidence.

**Questions**

- a) Please explain why MPAC did not explain its practice of indexing pipeline values in its July 2020 evidence.
- b) Please explain how the indexing of pipeline values is performed.
- c) Please explain where the "existing pipeline values" come from if the "pipeline company fails to provide that information".