



Imperial Oil Limited

Application for approval to expropriate interests in certain lands along a pipeline route in the City of Mississauga and the City of Toronto

PROCEDURAL ORDER NO. 2 May 10, 2021

Imperial Oil Limited (Imperial Oil) applied to the Ontario Energy Board (OEB) on February 23, 2021 under section 99 of the *Ontario Energy Board Act, 1998*, for an order granting approval to expropriate interests in certain lands along a pipeline route in the City of Mississauga and the City of Toronto. Under a separate Decision and Order dated March 12, 2020 (with modifications approved on December 17, 2020), Imperial Oil received OEB approval to construct the pipeline and associated facilities to transport refined fuel products from Imperial Oil's facility in the City of Hamilton to its facility in the City of Toronto.

A Notice of Hearing was issued on March 11, 2021. The City of Mississauga applied for and was granted intervenor status.

On April 7, 2021, the OEB issued Procedural Order No. 1, setting the procedural schedule for written interrogatories and written submissions. The interrogatory stage was completed by Imperial Oil filing responses to OEB staff interrogatories on May 5, 2021.

Partial Withdrawal by Imperial Oil

On April 19, 2021, Imperial Oil filed a letter with the OEB requesting to withdraw the portions of its Application to expropriate certain land rights owned by the City of Mississauga and by the Canadian Pacific Railway Company. Imperial Oil advised that it wished to withdraw these portions of the Application because resolutions had been reached with the City of Mississauga and the Canadian Pacific Railway Company.

On April 21, 2021, the OEB accepted Imperial Oil's request to withdraw the portions of the Application related to the interests in the lands owned by the City of Mississauga

and the Canadian Pacific Railway Company. On April 21, 2021, the City of Mississauga modified its status to monitor rather than intervene in the proceeding.

Revised Procedural Schedule

Imperial Oil requested a decision from the OEB by June 1, 2021 in order to align with its current construction schedule. Based on Imperial Oil's Application date, and using OEB standards for this type of application, the expected OEB decision date would be in July 2021. However, given that Imperial Oil has been able to resolve some of the issues with affected landowners, including the City of Mississauga that was the only registered intervenor and is now a monitor and not actively participating in the proceeding, the OEB is advancing the procedural schedule to the extent possible to issue a decision closer to the June 1, 2021 requested date.

This Procedural Order will advance the OEB staff submissions filing to May 13, 2021 and Imperial Oil's written reply to May 20, 2021.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. Any written submissions from OEB staff, shall be filed with the OEB and served on all parties by, **May 13, 2021**.
2. Any written reply submissions from Imperial Oil shall be filed with the OEB and served on intervenors by, **May 20, 2021**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2021-0096**, for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number, fax number and e-mail address

- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [Filing Systems page](#) on the OEB's website
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Zora Crnojacki at Zora.Crnjacki@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

Email: registrar@oeb.ca
Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **May 10, 2021**

ONTARIO ENERGY BOARD

Original Signed By

Christine E. Long
Registrar