



BY EMAIL and RESS

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December 29, 2021
Our File: EB-2020-0293

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Christine Long, Registrar

Dear Ms. Long:

Re: EB-2020-0293 Enbridge St. Laurent – Proposal for Intervenor Witness Panel

We are counsel for the School Energy Coalition (SEC). On behalf of our client, and in collaboration with intervenors City of Ottawa and Pollution Probe (collectively, with SEC, the “Sponsors”), we seek the Board’s permission to present documentary evidence, and a panel of witnesses, speaking to the need, cost-effectiveness, and timing of the proposed project. The Sponsors request that the Board make provision in a Procedural Order to receive this evidence, allow written discovery by other parties, and provide for the witnesses to present the evidence to the Board in an oral proceeding.

The proposed evidence is expected to comprise the natural gas reduction plans of several of the major customers currently relying on the St. Laurent pipeline, and forecasts of reductions in demand from those customers over the coming years. The reduction plans are expected to include at least the City of Ottawa, Ottawa Community Housing, University of Ottawa, and the Cliff Street Heating Plant.

The written evidence will, if the Board permits, be supported by at least two witnesses: **Michael Fletcher**, Project Manager, Building Engineering and Energy Management, City of Ottawa, and **George Zigoumis**, Director, Campus Design and Sustainability, University of Ottawa. Both have direct responsibility for plans that will be part of the evidence filed. We hope to have at least one other witness with a similar ability to speak directly to the natural gas reduction plans, but are awaiting organization approval, which is delayed by the holiday period.

This evidence is intended to be fact evidence, not opinion evidence. Similarly, the witnesses in oral testimony will speak only to the steps they are taking to reduce gas use to zero, and will not express any opinion on whether the proposed project is either necessary or cost effective. We do not intend to qualify them as experts.

SEC is aware that the Applicant has, in response to numerous interrogatories, refused to answer questions on future load to be served by the St. Laurent pipeline. The Applicant takes the position

that, because the proposed project is intended to serve existing load, and builds in no provision for growth, the future load on this system is not relevant.

With respect, SEC disagrees. The likely decline in load served by this pipeline speaks to at least three critical issues that all parties would agree are live in this proceeding:

Need and Timing: Reduction of demand speaks to the core of the Application, as it is premised on the assumption that the current customer base of the proposed project will remain (and potentially grow) in the future.¹ If in ten or twenty years this pipeline is serving a much smaller load due to the current GHG reduction plans of its major customers, the need for a costly replacement may no longer be justified by the Applicant's evidence.

As EGI indicated in the Application and responses to interrogatories, it has not conducted any scenario analysis on its demand forecast.² EGI also admitted that it does not have knowledge of the plans by many of its major customers served by this pipeline (such as the University of Ottawa) that could materially impact their current demand for natural gas.³ The proposed evidence on the significant reduction of gas consumption will present facts contrary to EGI's key assumption, and provide the Board with information that is not included in the Application.

Cost Effectiveness Comparisons: Evidence on significant reduction in demand also affects the useful life and cost effectiveness of the proposed project, and in particular any comparison of its cost effectiveness to other options. The Applicant's current analysis assumes a 40-year useful life for the proposed project, and even with that assumption the replacement option is more than twice as expensive than the repair option.⁴

The Applicant has declined to respond to questions related to the cost effectiveness of the proposed project if a shorter useful life is appropriate⁵. SEC believes that the Board may see the repair option as being worthy of closer examination (with or without the addition of in-line inspection), if the replacement is four times as expensive as the repair option.

Integrated Resource Planning: The Applicant has rejected IRP, and refused to do an IRP analysis, on the sole basis that this project must be implemented within three years to meet an integrity need⁶. If the option of repairing the pipeline is being reconsidered by the Board and the Applicant (in light of less favourable cost effectiveness, for example), the choice of repairing for a period of time, while implementing IRP and seeing how much demand is really sustainable, may also be a viable option for the Board to consider.

In light of the extension of EGI's deadline to file reply submissions (set out in PO #4), the Sponsors believe that accepting this evidence and the resulting procedural steps, including an oral hearing, will not result in any significant delay in the regulatory process.

The Sponsors propose the following:

- January 17 – Sponsors to file written evidence including CVs of witnesses.
- January 27 – Technical Conference on Enbridge evidence (already ordered)

¹ Ex. B-1-1 p.7-10

² Interrogatory Response to SEC-1

³ Interrogatory Response to SEC-6

⁴ Ex. B-1-1 p.44-45, Table 13

⁵ I.SEC.13 and others.

⁶ I.STAFF.3, Attachment 1.

- January 28 – Interrogatories on Sponsors' evidence
- February 9 – Responses to interrogatories
- February 17 – oral hearing (one day)
- February 22 – responses to oral hearing undertakings
- February 28 – Intervenor and Staff submissions
- March 11 – Reply submissions

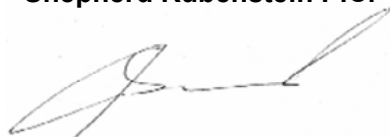
The Sponsors understand, of course, that the schedule will be for the Board to determine in its own discretion. This suggestion is intended only to demonstrate that no undue delay is necessary to accommodate the evidence of these customers.

SEC, on behalf of itself, the City of Ottawa, and Pollution Probe, therefore requests that a) the Board allow us to present the described evidence, and b) the Board adjust the procedural steps in the proceeding to facilitate that evidence. It is submitted that this evidence has the potential to be an important consideration when the Board is deciding on this Application.

All of which is respectfully submitted.

Yours very truly,

Shepherd Rubenstein P.C.



Jay Shepherd

cc: Ted Doherty, SEC (by email)
Mike Brophy, Pollution Probe (by email)
Mike Fletcher, City of Ottawa (by email)
Guri Pannu, Enbridge (by email)
Interested Parties (by email)