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Enbridge Gas Inc.
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January 7, 2022

VIA EMAIL and RESS

Christine Long
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Christine Long:

**Re: Enbridge Gas Inc.
Ontario Energy Board File: EB-2020-0293
St. Laurent Ottawa North Replacement Project –
Response to Proposal for Intervenor Witness Panel**

Enbridge Gas Inc. (“Enbridge Gas” or the “Company”) is in receipt of a letter of comment filed by the School Energy Coalition (“SEC”) on December 29, 2021 (the “Letter”) on behalf of SEC, Pollution Probe (“PP”) and the City of Ottawa (“Ottawa”) (together the “Sponsors”),¹ related to the Company’s St. Laurent Ottawa North Replacement Project (the “Project”) proceeding.

In its Letter, SEC requests that the Ontario Energy Board (“OEB”) make provision for documentary evidence and testimony from a panel of witnesses regarding their natural gas reduction plans for the City of Ottawa, Ottawa Community Housing, the University of Ottawa and the Cliff-Street Heating Plant. SEC explicitly states that the “evidence is intended to be fact evidence, not opinion evidence” and that it 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.”

Notwithstanding the evidence will be no more than as described by SEC, SEC in its letter then goes on to set out a series of inferences related to need and timing, cost effectiveness and integrated resource planning that it intends to make on the basis of the evidence provided by the Sponsors.² SEC intends to draw these inferences even though the proposed evidence is anecdotal only and is without any technical basis as to how it relates to or impacts the Project or any foundation on which these inferences could be made. It is important to note that: (i) the Project is proposed because of the condition and integrity of the existing pipeline that poses serious safety and material reliability concerns and threatens the Company’s ability to meet its obligation to serve the firm demands of its existing customers; and (ii) the Project deals with Phases 3 and 4 of a broader 4-Phase project, Phases 1 and 2 having been driven by the same

¹ All of which are approved intervenors.

² The Company’s decision not to address each and every of these arguments within this response should not be construed as acceptance or agreement with them.

integrity concerns and previously reviewed and approved by the OEB in 2019.³ The Project is not based on demand of the service area or any one particular customer as the level of demand will not change the integrity concerns driving the project need. As expressed by SEC, such factual anecdotal evidence of individual customers without any technical evidence related to the Project does not advance the decision making process of the OEB and as such is irrelevant. If the OEB, however, permits the evidence to be filed, Enbridge Gas reserves the right to make submissions as to relevance at that time.

In conjunction with its proposal, SEC sets out a suggested revised process. However, the suggested process does not include certain fundamental aspects that are required to provide for a fair process. The suggested process:

- (i) does not include provision for Enbridge Gas to file responding evidence;
- (ii) excludes the Sponsors' proposed evidence and witness panel from participation in the scheduled Technical Conference; and
- (iii) prematurely makes provision for an oral hearing despite the OEB's clear determination to proceed by way of written hearing in Procedural Order No. 3 and that the record may be sufficient for the purposes of a written hearing following interrogatories and the technical conference.

As a matter of procedural fairness, the Company asks that if the OEB makes provision for the proposed evidence it also make provision for discovery and for Enbridge Gas to file responding evidence on the same, should the Company elect to do so. Further, the Company requests that the OEB require the Sponsors' proposed witness panel to be available for questioning as part of the scheduled Technical Conference. Finally, considering all of the aforementioned accommodations, the Company asserts that it is appropriate for the OEB to maintain its previous determination to proceed by way of written hearing pending the completion of the interrogatory process and Technical Conference.

Enbridge Gas has set out a proposed timeline below for the OEB's consideration:

- January 17 – Sponsors to file written evidence
- February 3 – Enbridge Gas to file responding evidence⁴
- February 15 – Interrogatories on Sponsors' evidence and Enbridge Gas's responding evidence
- February 28 – Sponsors' and Enbridge Gas' responses to interrogatories
- March 10 – Technical Conference on Enbridge Gas and Sponsors' evidence
- March 17 – Responses to Technical Conference undertakings
- March 25 – Staff and intervenor submissions
- April 7 – Enbridge Gas reply submission

³ Phase 1 of the broader replacement project did not require an order of the OEB granting leave to construct approval. The OEB approved Phase 2 of the broader replacement project on September 26, 2019 (EB-2019-0006).

⁴ Enbridge Gas could advise the OEB by January 21, 2022 as to whether or not it intends to file responding evidence. If not, then the OEB could presumably reduce the procedural timeline by approximately 2 weeks by advancing the deadline for interrogatories on the Sponsors' evidence.

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Please contact the undersigned if you have any questions.

Yours truly,

Adam Stiers

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c.c. Guri Pannu (Enbridge Gas Counsel)

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Intervenors (EB-2020-0293)