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BY EMAIL

March 18, 2022

Ms. Nancy Marconi  
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. Marconi:

**Re: Ontario Energy Board Staff Submission  
Enbridge Gas Inc. – Coveny and Kimball-Colinville Well Drilling Project  
OEB File Number: EB-2021-0248**

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Please find attached OEB staff's submission in the above referenced proceeding, pursuant to Procedural Order No. 1.

Yours truly,

Judith Fernandes  
Senior Advisor, Natural Gas Applications

Encl.

c: All parties in EB-2021-0248



# **ONTARIO ENERGY BOARD**

## **OEB Staff Submission**

**Enbridge Gas Inc.**

**Coveny and Kimball-Colinville  
Well Drilling Project**

**EB-2021-0248**

**March 18, 2022**

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## Application Summary

On December 15, 2021, Enbridge Gas Inc. (Enbridge Gas) filed an application seeking the Ontario Energy Board's (OEB) approval for the Coveny and Kimball-Colinville Well Drilling Project (Project).

Enbridge Gas applied to the Minister of Natural Resources<sup>1</sup> (Minister) for approval to drill an A-1 observation well (TCV 7) in the Coveny storage pool and an injection/withdrawal well (TKC 68) in the Kimball-Colinville storage pool. The Minister referred the applications to the OEB pursuant to section 40(1) of the OEB Act. The OEB is required to report to the Minister before the Minister can issue a licence to drill a well. Enbridge Gas has requested a favourable report from the OEB to the Minister regarding its licence applications.

Enbridge Gas has also applied under section 91 of the OEB Act for the OEB's leave to construct a gathering pipeline to connect well TKC 68 to the existing Kimball-Colinville gathering pipeline.

The OEB issued a Notice of Application on January 18, 2022. The Chippewas of Kettle and Stony Point First Nation with Southwind Development Corporation (CKSPFN with Southwind) and the Ministry of Northern Development, Mines, Natural Resources and Forestry (Ministry of Natural Resources) applied for intervenor status. CKSPFN with Southwind also applied for cost eligibility. No objection was received from Enbridge Gas in relation to these requests.

On February 18, 2022, the OEB issued Procedural Order No. 1 approving CKSPFN with Southwind and Ministry of Natural Resources as intervenors and set out dates for the filing of interrogatories and submissions.

OEB staff and Ministry of Natural Resources filed written interrogatories on March 1, 2022 and CKSPFN with Southwind filed its interrogatories on March 2, 2022. Enbridge Gas filed interrogatory responses on March 9, 2022.

OEB staff supports Enbridge Gas's application and request for a favourable report to the Minister subject to: (a) provision of a letter of opinion from the Ministry of Energy (MoE) confirming that the procedural aspects of consultation undertaken by Enbridge Gas are satisfactory and (b) the conditions that OEB staff has proposed for the well licence and the leave to construct, as set out in Appendix A and B, respectively.

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<sup>1</sup> Minister of Northern Development, Mines, Natural Resources and Forestry

## OEB Staff Submission

### Project Need

Enbridge Gas stated that the Project is driven by the need to:

- a) replace deliverability lost through the recent abandonment of six gas storage wells by drilling a new injection/withdrawal well (TKC 68) in the Kimball-Colinville Storage Pool
- b) address safety and compliance requirements by drilling an A-1 observation well (TCV 7) in the Coveny Storage Pool, in compliance with Section 5.5 of Canadian Standards Association (CSA) Standard Z341.1-18 *Storage of Hydrocarbons in Underground Formations*.

The wells were abandoned due to integrity concerns. Abandonment of these wells resulted in a total deliverability loss of approximately 4,400  $10^3\text{m}^3/\text{day}$ . It is estimated that well TKC 68 will provide deliverability of between 700 - 2,800  $10^3\text{m}^3/\text{day}$ .

Enbridge Gas has proposed to drill well TCV 7 to comply with Section 5.5 of CSA Z341.1-18, which states that observation wells are required to monitor low-permeability zones or formations adjacent to and in communication with the storage zone. The need to drill this well was identified in the Enbridge Gas Asset Management Plan which was filed as part of Enbridge Gas's 2021 Rates proceeding.<sup>2</sup>

Upon completion of drilling TKC 68, Enbridge Gas will need to construct approximately 120 metres of NPS 10-inch steel pipeline to connect the well to the existing Kimball-Colinville gathering pipeline.

### Project Alternatives

Enbridge Gas stated that the A-1 observation well is required by CSA Z341.1-18 and it is not aware of any comparable alternative facility or non-facility solution that would enable it to monitor the actual movement of natural gas between the Guelph Formation and the A-1 Formation.

Enbridge Gas considered the following alternatives for well TKC 68:

- 1) Increasing the size of the pipelines within the Kimball-Colinville Storage Pool  
This would provide a safe and reliable means of replacing deliverability, but would take significantly longer to execute and would have a greater impact to Enbridge Gas's storage operations, the environment surrounding the pool, and any

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<sup>2</sup> EB-2020-0181, Exhibit C, Tab 2, Schedule 1, p. 206

landowners and Indigenous communities with interests in the area. Enbridge Gas estimated that this alternative would cost approximately \$2 million more than drilling a new well.

- 2) Purchasing natural gas for delivery to Enbridge Gas's system during peak periods Enbridge Gas determined that this is not an optimal alternative as this would place significant uncertainty regarding the cost as the price of natural gas fluctuates over time. The costs can be significantly higher during periods of peak demand. Enbridge Gas estimated that the cost of this alternative is expected to exceed the cost of drilling a new injection/withdrawal well after three years. This option is also considered less reliable, as Enbridge Gas would need to rely on a third party to deliver supply according to a commercial agreement as opposed to being able to operate its own physical storage asset.

With respect to the gathering pipeline to connect well TKC 68, Enbridge Gas stated that it will be installed in the most direct and shortest route that allows a 90-degree connection from the well TKC 68 to the existing Kimball-Colinville gathering line. No other pipeline routes were considered, as any alternative route would have a higher cost and greater impact on landowners and the environment.

Enbridge Gas stated that it also considered the OEB's decision on Enbridge Gas's Integrated Resource Planning (IRP) Framework Proposal in its evaluation of project need. The IRP Framework provides Binary Screening Criteria which Enbridge Gas applied in evaluating the Project and determined that the need underpinning the Project does not warrant further IRP consideration, as the need occurs within the three-year time horizon.<sup>3</sup>

### ***Project Timing***

Enbridge Gas stated that Project construction must be conducted when the reef pressure in the storage pools is suitably low. This occurs when storage withdrawal operations have ceased and before injection operations commence. This timeframe typically begins in April each year but may vary based on several factors including the weather, storage inventory levels throughout the winter, and demand for storage withdrawals or injections in late Winter and early Spring.

Enbridge Gas originally requested OEB approval by March 24, 2022. However, in response to interrogatories, Enbridge Gas stated that based on actual storage operations experienced during the 2021/2022 withdrawal season to date, reef pressures are expected to be suitably low for longer than originally anticipated when Enbridge Gas

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<sup>3</sup> EB-2020-0091, p.10

filed the application for this Project. As a result, Enbridge Gas is able to defer drilling to the end of May 2022 and still be able to place the Project in service in 2022 as planned. Enbridge Gas stated that it requires an OEB decision by the end of April, following which it expects to receive drilling licences from the Ministry of Natural Resources by May 29, 2022.<sup>4</sup>

In its interrogatory responses, Enbridge Gas stated that it intends to coordinate the drilling of TCV 7 and TKC 68 with the drilling activities outlined in Enbridge Gas's Ladysmith and Corunna Well Drilling Project and its 2022 Storage Enhancement Project to take advantage of the presence of a single drilling rig from Western Canada. Enbridge Gas stated that the scheduling the Project activities in this way creates synergies and reduces the mobilization and demobilization costs for the drilling rig. Enbridge Gas commented that if the Project is deferred, these synergies disappear, which may increase Project costs by up to \$1 million.<sup>5</sup>

Based on the above, OEB staff has no concerns with Enbridge Gas's rationale that the Project is needed to replace the deliverability lost and to comply with Section 5.5 of CSA Z341.1-18. The selected Project is also cost-effective, reliable, and minimizes the impact on landowners and the environment as compared to other alternatives considered by Enbridge Gas.

## **Project Costs and Ratepayer Impact**

The total cost for the Project is estimated to be \$5.08 million. Enbridge Gas stated that it is not seeking cost recovery of the Project as part of this application. Upon rebasing, Enbridge Gas expects the capital costs associated with the Project will be included in rate base, as the Project solely benefits Enbridge Gas's regulated storage business.

Enbridge Gas stated that a discounted cash flow report has not been completed as the Project is underpinned by integrity and compliance requirements.

In response to interrogatories, Enbridge Gas stated that the estimated impact of the Project on a typical residential customer's bill in the Enbridge Gas Distribution rate zone is less than \$0.20 per year.<sup>6</sup> Enbridge Gas provided comparable well drilling costs for its previously approved Dow-Moore Storage Pool Project<sup>7</sup>, which encompassed the drilling of two injection/withdrawal wells and two observation wells. Enbridge Gas stated that comparable costs for the pipeline component of the Project are not available, as

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<sup>4</sup> Exhibit I, Staff 1, p. 2

<sup>5</sup> Exhibit I, Staff 1, p. 2,3

<sup>6</sup> Exhibit I, Staff 3, p.2

<sup>7</sup> EB-2017-0354; Exhibit I, Staff 3, p.2

Enbridge Gas has not sought leave to construct gathering pipelines associated with injection/withdrawal wells for regulated storage operations in recent history.

In OEB staff's view, the cost estimates for the Project seem reasonable as the costs of the TCV 7 well of \$1.5 million and TKC 68 well of \$3 million are similar to the costs of the wells approved in the Dow-Moore Storage Pool Project. OEB staff submits that the filing by Enbridge Gas of post-construction financial reports as proposed in the conditions for the well licence and leave to construct will ensure that the OEB has the information required to review the potential impact of actual capital costs on Enbridge Gas's ratepayers.

## Land Matters

The Project requires the construction of gravel pads, temporary workspace, and permanent access lanes.

According to the ER, landownership differs across the Project locations. Enbridge Gas leases the land on which Project activities for well TKC 68 will occur and owns and operates the land on which Project activities for well TCV 7 will occur. Both Project locations are located on lands that form Treaty 29, between the Crown and certain Anishinaabe peoples.

Enbridge Gas states that its land agents have notified the parties directly impacted by the Project. The party impacted by well TCV 7 is a tenant farmer. For well TKC 68 and the pipeline, the impacted party is a third-party farmer.

As part of its interrogatory responses, Enbridge Gas provided a letter of support for the Project from the third-party landowner and a copy of its Gas Storage Lease Agreement with the same landowner. Enbridge Gas confirmed that this Agreement provides it with the rights to drill the proposed well and also confirmed that all required land rights have been acquired for the Project.<sup>8</sup>

OEB staff submits that there are no outstanding land-related concerns arising from the Project.

## Environmental Matters

Enbridge Gas retained Stantec Consulting Ltd. (Stantec) to complete an environmental

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<sup>8</sup> Exhibit I, Staff 7, p.2



assessment of the Project, in accordance with the OEB's Environmental Guidelines.<sup>9</sup>

Stantec prepared an Environmental Report (ER) to assess potential impacts of the Project on environmental features, and to establish mitigation and protective measures that may be used to reduce and/or eliminate potential impacts. The ER states that with the implementation of the recommendations, ongoing communication and consultation, environmental and supplementary studies and adherence to permit, regulatory and legislative requirements, potential adverse residual environmental and socio-economic impacts of the Project are not anticipated to be significant.

The ER was provided to the Ontario Pipeline Coordinating Committee (OPCC) and other agencies. Enbridge Gas received and responded to comments from the Ministry of Government and Consumer Services, the Ministry of Transportation, and the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI).

In response to interrogatories, Enbridge Gas provided an update on comments from the Ministry of Environment, Conservation and Parks. Enbridge Gas also provided an update on the status of the permits/approvals it requires for the Project.

OEB staff has no concerns with the environmental aspects of the Project, given that Enbridge Gas is committed to implementing the proposed mitigation measures. OEB staff submits that Enbridge Gas's compliance with the conditions proposed by OEB staff in Appendix A and Appendix B will ensure that impacts of well drilling and pipeline construction are mitigated and monitored.

## Indigenous Consultation

In accordance with the OEB's Environmental Guidelines, Enbridge Gas contacted the MoE on May 5, 2021 in respect of the Crown's duty to consult related to the Project. By a letter dated June 1, 2021 (Delegation Letter), the MoE delegated the procedural aspects of the Crown's Duty to Consult for the Project to Enbridge Gas. In the Delegation Letter, the MENDM identified five Indigenous communities with which Enbridge Gas should consult in relation to the Project:

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

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<sup>9</sup> Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines in Ontario (7<sup>th</sup> edition), 2016

- Oneida Nation of the Thames

Each of these five Indigenous communities and the Metis Nation of Ontario were served the Notice of Hearing for the Project, in accordance with the OEB's Letter of Direction.

Enbridge Gas provided the MoE with its Indigenous Consultation Report for the Project on December 14, 2021 and also provided updated consultation summary tables as requested by OEB staff. OEB staff submits that Enbridge Gas appears to have made efforts to engage with affected Indigenous communities and no concerns that could materially affect the Project have been raised through its consultation to date.

However, MoE has not yet issued to Enbridge Gas its letter of opinion on the adequacy of that consultation (Letter of Opinion). In response to interrogatories, Enbridge Gas stated that it is not aware of the MoE's timeline to provide the Letter of Opinion.<sup>10</sup>

OEB staff submits that the OEB should not be granting approval for the Project before it is satisfied, based on the record before it, that the duty to consult has been discharged. This would include receipt of the Letter of Opinion from the MoE and consideration of any submission in this regard from CKSPFN with Southwind.

OEB staff submits that if MoE provides a Letter of Opinion confirming that the procedural aspects of consultation undertaken by Enbridge Gas are satisfactory, OEB staff would support Enbridge Gas's application and request for a favourable report to the Minister.

Given the outstanding Letter of Opinion, OEB staff submits that the OEB should place this proceeding in abeyance until the Letter of Opinion is provided. On November 1, 2021, the OEB announced a new *Protocol for Adjusting Adjudicative Timelines* (Protocol) in cases of certain material delays. The Protocol contemplates government and/or other third-party authority delays in filing necessary evidence to be included in an application as a basis for placing a proceeding into abeyance, and refers to letter on the sufficiency of Indigenous consultation as an example of such a delay. OEB staff submits that the Letter of Opinion is a critical aspect of the OEB's consideration of whether the duty to consult has been discharged, and that the delay meets the intent of the Protocol to enable the OEB to place the application in abeyance.

OEB staff acknowledges that the OEB has previously granted conditional approval pending receipt of a Letter of Opinion<sup>11</sup>. In the current case, however, OEB staff is recommending that the application be placed in abeyance until such time that the Letter

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<sup>10</sup> Exhibit I, Staff 8, p.3

<sup>11</sup> EB-2017-0261 Decision on Scugog Island Community Expansion Project and EB-2020-0192 Decision on London Lines Replacement Project

of Opinion is received.

## **Regulatory and Legal Requirements- Storage Wells and Pipeline Construction**

### **Storage Wells**

The Ministry of Natural Resources assesses the technical and safety aspects of storage pool development and operation, and grants licences relating to natural gas wells. The Ministry of Natural Resources is responsible for ensuring that all relevant requirements of the CSA Z341.1-18 for drilling, modifications, and operation of wells are satisfied.

Enbridge Gas states that all design, installation and testing of the proposed wells will be in accordance with the requirements of the *Ontario Oil, Gas & Salt Resources Act* (OGSRA), Ontario Regulation 245/97, OGSRA Standards v.2.0, and CSA Z341.1-18.

Enbridge Gas has provided the Ministry of Natural Resources with the following reports on the pools for their review:

- An Assessment of Neighbouring Activities for the Coveny storage pool, and the Kimball-Colinville storage pool as prescribed by Clause 5.2 of CSA Z341.1-18, assessing: a) wells within 1 kilometre; b) operations within 5 kilometre; and c) the integrity of all wells penetrating the storage zone.
- “What If” Analysis of hazards and operability for each of the pools.

In response to interrogatories, Enbridge Gas stated that it has not received any comments from the Ministry of Natural Resources regarding the Project. However, Enbridge Gas indicated that it has no objections to OEB staff’s proposed condition requiring it to comply with CSA Z341.1-18 to the satisfaction of Ministry of Natural Resources and also confirmed that going forward it intends to adopt any future revisions to CSA Z341.1-18.<sup>12</sup>

As part of interrogatories, OEB staff proposed conditions with respect to the well licence, that are similar to those approved by the OEB in past well licence applications and sought comments from Enbridge Gas. In its response, Enbridge Gas stated that it has no concerns with regard to the conditions of licence proposed by OEB staff at this time.<sup>13</sup>

Provided that the Letter of Opinion from the MoE confirms that the procedural aspects

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<sup>12</sup> Exhibit I, Staff 2, p.2

<sup>13</sup> Exhibit I, Staff 9, p.3

of consultation undertaken by Enbridge Gas are satisfactory, OEB staff supports Enbridge Gas's request for a favourable report to the Minister on the well licence applications subject to the inclusion of the proposed conditions of licence set out in Appendix A, in the OEB's report to the Minister.

### Gathering Pipeline

Enbridge Gas states that all design, installation and testing of the proposed gathering pipeline will be in accordance with the requirements of Ontario Regulation 210/01 – *Oil and Gas Pipeline Systems* (Regulation) under the *Technical Standards and Safety Act, 2000*. This Regulation governs the installation of pipelines in Ontario. As well, the design will meet the requirements of CSA Z662 Standard for Oil and Gas Pipeline Systems in accordance with the Code Adoption Document under the Regulation.

As part of interrogatories, OEB staff proposed conditions of approval with respect to the leave to construct that are similar to OEB's standard conditions of approval for leave to construct applications<sup>14</sup> and sought comments from Enbridge Gas. Enbridge Gas stated that while it has no concerns with the conditions of approval proposed by OEB staff at this time, if the OEB decision is issued later than the end of April 2022, Enbridge Gas may need to defer the Project to 2023. Enbridge Gas also stated that should a Project delay occur, Enbridge Gas would require a change to Condition 2(a) to provide for termination of the leave to construct authorization 18 months after the decision is issued instead of 12 months to accommodate a deferred Project schedule.<sup>15</sup>

Once again, provided that the Letter of Opinion from the MoE confirms that the procedural aspects of consultation undertaken by Enbridge Gas are satisfactory, OEB staff supports Enbridge Gas's leave to construct request, subject to the proposed conditions of approval attached as Appendix B to this document. OEB staff acknowledges that if the OEB does place the application in abeyance and construction cannot take place until 2023, Condition 2(a) of the Leave to Construct Conditions of Approval, which sets out the termination date for the leave to construct authorization, may need to be adjusted to accommodate this delay.

~All of which is respectfully submitted~

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<sup>14</sup> March 29, 2021 OEB letter Regarding Updates to Performance Standards and Other Process Improvements

<sup>15</sup> Exhibit I, Staff 10, p.3

**Appendix A**  
**OEB Staff Submission**

**Draft Conditions of Licence**

**Well Licence**

**Application under Section 40 of the OEB Act****Enbridge Gas Inc. EB-2021-0248****DRAFT CONDITIONS OF LICENCE**

1. Enbridge Gas Inc. (Enbridge Gas) shall rely on the evidence filed with the OEB in the EB-2021-0248 proceeding and comply with applicable laws, regulations and codes pertaining to the construction of the proposed wells.
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. Prior to commencement of construction of the proposed wells, Enbridge Gas shall obtain all necessary approvals, permits, licences, certificates, agreements and rights required to construct, operate and maintain the proposed wells.
6. Enbridge Gas shall ensure that the movement of equipment is carried out in compliance with all procedures filed with the OEB, and as follows:
  - i. 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; and
  - ii. The installation of facilities and construction shall be coordinated to minimize disruption of agricultural land and agricultural activities.
7. 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.
8. Concurrent with the final monitoring report referred to in Condition 9(b), Enbridge Gas shall file a Post Construction Financial Report, which shall provide a variance analysis of project cost, schedule and scope compared to the estimates filed in this proceeding, including the extent to which the

project contingency was utilized. Enbridge Gas shall also file a copy of the Post Construction Financial Report in the proceeding where the actual capital costs of the project are proposed to be included in rate base or any proceeding where Enbridge Gas proposes to start collecting revenues associated with the Project, whichever is earlier.

9. 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; and
    - 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 Gas'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; and
    - v. Include a log of all complaints received by Enbridge Gas, including the date/time the complaint was received, a description of the

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complaint, any actions taken to address the complaint, the rationale for taking such actions.

10. For the purposes of these conditions, Enbridge Gas shall conform with:
  - a) CSA Z341.1-18 "Storage of Hydrocarbons in Underground Formations" to the satisfaction of the Ministry of Northern Development, Mines, Natural Resources and Forestry (Natural Resources); and
  - b) 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 to the satisfaction of the Natural Resources.
11. Enbridge Gas shall designate one of its employees as project manager who will be the point of contact for these conditions, and shall provide the employee's name and contact information to the Natural Resources, the OEB and to all affected landowners, and shall clearly post the project manager's contact information in a prominent place at the construction site.



**Appendix B**  
**OEB Staff Submission**

**Draft Conditions of Approval**

**Leave to Construct**

**Application under Section 91 of the OEB Act**

**Enbridge Gas Inc. EB-2021-0248**

**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-2021-0078 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 10 days prior to the date construction commences
  - ii. of the planned in-service date, at least 10 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. Concurrent with the final monitoring report referred to in Condition 7(b), Enbridge Gas shall file a Post Construction Financial Report, which shall provide a variance analysis of project cost, schedule and scope compared to the estimates filed in this proceeding, including the extent to which the project contingency was utilized. Enbridge Gas shall also file a copy of the Post Construction Financial Report in the proceeding where the actual capital costs of the project are proposed to be included

in rate base or any proceeding where Enbridge Gas proposes to start collecting revenues associated with the Project, whichever is earlier.

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, 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's adherence to Condition 4
- 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

8. Enbridge Gas shall designate one of its employees as project manager who will be the point of contact for these conditions, and shall provide the employee's name and contact information to the OEB and to all affected landowners, and shall clearly post

the project manager's contact information in a prominent place at the construction site.