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July 20, 2022

VIA ELECTRONIC FILING

Attention: Nancy Marconi, Registrar of the OEB

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

Dear Registrar:

**RE: EB-2022-0086 – Enbridge Gas Inc. – Dawn to Corunna Replacement Project
CAEPLA-DCLC Proposal for Intervenor Evidence – Supplementary Information**

We are the lawyers for the Canadian Association of Energy and Pipeline Landowner Associations (“CAEPLA”) and its subcommittee the Dawn Corunna Landowner Committee (“DCLC”) in the EB-2022-0086 proceeding. We are writing in response to Procedural Order No. 3 issued by the OEB on July 15, 2022 directing CAEPLA-DCLC to provide “more detailed information regarding the evidence that it seeks to file in this proceeding, whether an expert will be retained, the estimated costs of the evidence, and a confirmation of the proposed timing for filing the evidence”.

Nature of Evidence to be Filed

CAEPLA-DCLC wishes to provide pre-filed written evidence to the OEB with respect to:

1. the lands and agricultural operations of CAEPLA-DCLC members;
2. the anticipated socio-economic and environmental impacts of Enbridge Gas Inc.’s construction and operation of its proposed project on those lands and agricultural operations, including cumulative effects resulting from the interaction of the new project with existing Enbridge Gas Inc. pipelines located within the project corridor;
3. impact mitigation measures ordered or approved by the OEB in previous leave to construct applications for comparable large-diameter pipeline projects undertaken by Union Gas Limited (now Enbridge Gas Inc.);
4. landowner experience in connection with those impact mitigation measures ordered or approved by the OEB on previous projects; and,
5. impact mitigation measures proposed by CAEPLA-DCLC for Enbridge Gas Inc.’s proposed project.

As noted in its letter dated July 13, 2022 to the OEB, CAEPLA-DCLC submits that the OEB should have before it not only the evidence of the Applicant, Enbridge Gas Inc., but also the evidence of agricultural

pipeline landowners when considering what mitigation and restoration conditions should be imposed on the project if approved and when considering the form of landowner agreements to be approved.

Expert Evidence

CAEPLA-DCLC does not intend to retain an expert for this proceeding.

Estimated Cost of Evidence

CAEPLA-DCLC's cost of the preparation and filing of evidence will consist of the legal fees of its lawyer for this work, including the compiling of documentary evidence, communicating with landowners and preparation and filing of CAEPLA-DCLC's evidence statement. The estimated cost of this work is \$7,250.00 plus HST, based on 25 hours at \$290 per hour (the maximum hourly rate for a lawyer with 11 to 19 completed years practicing according to the OEB's Cost Award Tariff).

Confirmation of Proposed Timing for Filing of Evidence

CAEPLA-DCLC proposed in its July 13, 2022 letter to the OEB that the deadline for filing of its intervenor evidence be Friday, August 26, 2022, which is two weeks following the deadline for filing of responses to undertakings from the technical conference by Enbridge Gas Inc. CAEPLA confirms that August 26, 2022 remains its proposed deadline for filing of intervenor evidence assuming that the OEB's decision whether to permit intervenor evidence is issued on or very soon after the July 26, 2022 deadline for the responding submissions by intervenors contemplated in Procedural Order No. 3. As the OEB will appreciate, CAEPLA-DCLC cannot commence preparation of intervenor evidence in this proceeding unless and until the OEB has made provision for it.

If the OEB's decision on whether to permit intervenor evidence is released more than a few days beyond July 26, 2022, CAEPLA-DCLC would propose that reasonable additional time for filing of intervenor evidence be provided.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Yours truly,

SCOTT PETRIE LLP
LAW FIRM



John D. Goudy

c.c.: Parties to EB-2022-0086, *via email*
Ritchie Murray, Case Manager, *via email* to: ritchie.murray@oeb.ca
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