

July 22, 2022

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

Attention: Nancy Marconi

Dear Ms. Marconi:

**Re: Enbridge Gas Inc. Ontario Energy Board File: EB-2022-0086  
Dawn to Corunna Replacement Project  
Response to CAEPLA-DCLC's Proposal for Intervenor Evidence**

We are legal counsel for Enbridge Gas Inc. ("Enbridge Gas" or the "Applicant") with respect to the above noted matter.

On July 13, 2022, counsel for the Canadian Association of Energy and Pipeline Landowner Associations ("CAEPLA") and its subcommittee the Dawn Corunna Landowner Committee ("DCLC") filed a letter with the OEB to request an amendment to Procedural Order No. 2 to provide for the filing of evidence from CAEPLA-DCLC in this proceeding as well as related procedural steps. On July 15, the OEB issued Procedural Order No. 3, which requested that CAEPLA-DCLC provide more detailed information regarding the proposed evidence and made provision for responses from the Applicant and intervenors.

On July 20, counsel for CAEPLA-DCLC filed a letter describing the subject matters to be addressed by the proposed evidence. In response to that letter, and pursuant to Procedural Order No. 3, below is the Applicant's response.

Based on the subject matters described in CAEPLA-DCLC's July 20<sup>th</sup> letter, Enbridge Gas does not object to CAEPLA-DCLC's proposal (except the proposed timeline, as discussed below). Subject to the specific content of CAEPLA-DCLC's actual evidentiary filing, Enbridge Gas reserves the right to object to any portion of the evidence that may be outside the scope of this proceeding and the right to file responding evidence, and requests that the OEB make provision for a procedural step to allow for interrogatories on CAEPLA's evidence.

In terms of CAEPLA-DCLC's requested deadline for filing intervenor evidence, Enbridge

Gas submits that allowing a deadline of August 26, 2022, would not be appropriate. CAEPLA-DCLC has been aware of this application (filed on March 21, 2022) for over four months and has been in receipt of the Applicant's interrogatory responses (filed on June 30, 2022) for over three weeks. Like other intervenors, CAEPLA-DCLC has the ability to prepare and file evidence in the proceeding without waiting for an OEB order to that effect. As such, CAEPLA-DCLC should have reasonably been able to commence the preparation of evidence that it deems necessary to inform the OEB's deliberation. August 26<sup>th</sup> will be nearly eight weeks after the filing of interrogatory responses, four weeks after the July 27<sup>th</sup> technical conference, and two weeks after the deadline for the Applicant's undertaking responses. In our view, the time period being requested by CAEPLA-DCLC, together with the related procedural steps that would follow its evidence filing, is excessive and would unduly delay the remainder of this proceeding and, by extension, the commencement of construction work (assuming leave-to-construct is granted). Enbridge Gas submits that August 9, 2022 (i.e., one week after the completion of the technical conference) is a more appropriate deadline for the filing of evidence by CAEPLA-DCLC.

Yours truly,

A handwritten signature in black ink, appearing to read 'CK', is written over the typed name 'Charles Keizer'.

Charles Keizer