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Ms. Nancy Marconi
Registrar
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

August 23, 2022

**EB-2022-0086 – Dawn to Corunna Replacement Project Leave to Construct
Pollution Probe Interrogatoires on Enbridge Reply Evidence**

Dear Ms. Marconi:

In accordance with Procedural Order No. 4 for the above-noted proceeding, please find attached Reply Evidence Interrogatories to the Applicant.

Respectfully submitted on behalf of Pollution Probe.

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Richard Carlson, Pollution Probe (via: email)

ONTARIO ENERGY BOARD

**Enbridge Gas Inc.
Dawn to Corunna Replacement
Leave to Construct**

**POLLUTION PROBE INTERROGATORIES
FOR
ENBRIDGE REPLY EVIDENCE**

August 23, 2022

**Submitted by: Michael Brophy
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Consultant for Pollution Probe

5-PP-EnbridgeReply-1

Please provide an updated proposed schedule for the project including completion of MOU (or equivalent) with all landowners, completion of all permits and approvals, proposed OEB approval, construction, commissioning and site restoration.

5-PP-EnbridgeReply-2

- a) Please provide the current version of the MOU (or equivalent) Enbridge is using to negotiate with impacted landowners.
- b) Please identify where the document requested above varies from the LOU proposed by CAEPLA-DCLC.
- c) What would be the impact (environmental, socio-economic and cost) if Enbridge adopted the wording in the LOU instead of its current proposal.

5-PP-EnbridgeReply-3

Reference: Enbridge's Reply Evidence indicated that there are currently no meaningful negotiations being held to advance an agreement with landowners and that Enbridge supports negotiations on outstanding matters "outside of the formal OEB hearing for Leave to Construct ("LTC") the proposed Project"

- a) Please explain how negotiations would occur outside of the formal hearing process and still be able to meet the timeline currently set for OEB review of this application.
- b) If landowner agreements are not in place prior to an OEB decision in this proceeding, please clarify what direction Enbridge will need from the OEB to proceed.

5-PP-EnbridgeReply-4

One option is for the OEB to place this proceeding in abeyance until Enbridge is able to successfully complete agreements with all landowners. Would Enbridge support this approach and if not, please explain why not.

5-PP-EnbridgeReply-5

When Enbridge proposes pipelines that cross private lands, it is understandable that land owners may seek agreements, conditions and/or mitigation approaches that vary from what Enbridge is proposing. In Enbridge's opinion, what factors should the OEB consider to balance the interests of Enbridge with the interests of land owners in these cases?

4-PP-EnbridgeReply-6

There are many circumstances where legacy Enbridge and Union Gas agreements and/or manuals, protocols and approaches still differ. Similarly, OEB decisions have varied by project based on the information put forward in each proceeding and case specific details. Enbridge appears to indicate that an OEB decision in one proceeding (e.g. form of agreement from the Greenstone LTC) supersedes all former similar OEB decisions.

- a) Does Enbridge believe that all elements of the most recent Leave to Construct OEB Decision set the requirements for this proceeding? Please explain.
- b) Prior to the time when Enbridge has mitigated differences in approach (perhaps 2024 rebasing?), how should Enbridge reconcile differences between the legacy Enbridge and Union Gas approach in applications such as this one?