



Ontario  
Energy  
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de l'énergie  
de l'Ontario

**BY EMAIL**

October 11, 2022

Paul Courey  
Courey Law Professional Corporation  
18 Queen Street South  
Box 178  
Tilbury ON N0P 2L0

Dear Mr. Courey:

Re: **Cost Award Eligibility and Intervenor Evidence  
Courey Law Professional Corporation  
Enbridge Gas Inc. (Enbridge Gas)  
Panhandle Regional Expansion Project  
Ontario Energy Board (OEB) File Number: EB-2022-0157**

The OEB is in receipt of your letter of September 27, 2022 covering: (i) a request for cost award eligibility; and (ii) a more specific description of the intervenor evidence that your clients propose to file in this proceeding.

#### Cost Award Eligibility Request

The letter clarified that Courey Law Professional Corporation (Courey Law) represents two corporations: Courey Corporation and Middle Road Farms Limited. These entities jointly applied for and were granted intervenor status by the OEB in this proceeding. The letter further clarified that Courey Law now also represents Mr. Girard Thibodeau who is a directly impacted landowner.

By way of this letter the OEB grants Courey Corporation, Middle Road Farm Limited and Mr. Thibodeau eligibility to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#). Mr. Thibodeau is also granted intervenor status. The OEB notes that cost award eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

The OEB notes that being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing.

### Topics of Intervenor Evidence

The letter indicated that the intervenor evidence would be prepared by a consultant and will address the topic of need to extend the proposed Panhandle Line to the west to terminate on the properties of Courey Corporation and Middle Road Farms Limited.

It was also noted that Mr. Thibodeau may provide evidence and that a soil scientist may be required.

The letter stated that the intervenors were in the process of hiring a specialized counsel and that once that counsel is hired Mr. Courey would become a witness for Courey Corporation and Middle Road Farm Limited on agricultural issues in general and drainage in particular.

To assist the OEB in assessing the value and relevance of the proposed evidence, Courey Law shall provide by **October 13, 2022**:

- i) a list of the discrete pieces of evidence it proposes to file, who's interest it represents including a high level description of their relevance to the proceeding
- ii) The estimated total cost for preparing the evidence
- iii) CVs with qualifications of witnesses preparing expert intervenor evidence

Please quote file number, **EB-2022-0157** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact [registrar@oeb.ca](mailto:registrar@oeb.ca) for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All

participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

Any questions relating to this letter should be directed to the Case Manager, Zora Crnojacki at [Zora.Crnojacki@oeb.ca](mailto:Zora.Crnojacki@oeb.ca) and OEB Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca).

Yours truly,

Nancy Marconi  
Registrar