



**Enbridge Gas Inc.**

**Application for leave to construct natural gas pipeline  
and associated facilities in the Municipality of Chatham  
Kent**

**DECISION ON CONFIDENTIALITY**

**December 15, 2022**

Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) on August 30, 2022, under sections 90 and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), for an order granting leave to construct approximately 5.7 kilometres of natural gas pipeline in Blenheim, in the Municipality of Chatham Kent. The proposed pipeline will connect Waste Connections of Canada Inc.'s planned renewable natural gas (RNG) facility at Ridge Landfill to Enbridge Gas's distribution system and will be used to transport the RNG that is produced at the facility. In addition, Enbridge Gas plans to construct a RNG injection station. Enbridge Gas has also applied to the OEB for approval of the form of land-use agreements it offers to landowners affected by the routing and construction of the project.

The OEB issued the Notice of Hearing on September 23, 2022, approving the Federation of Rental-housing Providers of Ontario (FRPO), Ontario Petroleum Institute and Pollution Probe as intervenors. The OEB issued Procedural Order No. 1 on October 31, 2022.

In accordance with Procedural Order No. 1, intervenors and OEB staff filed interrogatories on November 16, 2022, and Enbridge Gas responded to the interrogatories on November 30, 2022.

Enbridge Gas requested confidential treatment for personal information contained in interrogatory responses to Staff-4 at Attachment 1, Staff-7 at Attachment 1 and Staff-9 at Attachment 1.

Enbridge Gas also requested confidential treatment for certain information in its responses to Staff-9 at Attachment 2 and FRPO-1 on the grounds that the information is commercially sensitive. Enbridge Gas stated that the redactions at Staff-9 at Attachment

2 consists of financial and/or commercial material and that disclosure of customer-specific demands could divulge investment plans, prejudice competitive positions and/or interfere with ongoing negotiations. Enbridge Gas stated that the redactions at FRPO-1 relate to the locations and pressure ratings of critical Enbridge Gas infrastructure and that public disclosure poses both a safety risk and a security risk.

Parties that wished to make submissions on the confidentiality requests were to follow the timelines and process in sections 5.1.6, 5.1.7 and 5.1.8 of the Practice Direction on Confidential Filings. No parties filed submissions.

## Findings

The OEB has reviewed Enbridge Gas's request for the redaction of personal information of property owners and an Indigenous community member at Staff-4 at Attachment 1, Staff-7 at Attachment 1 and Staff-9 at Attachment 1. The OEB is satisfied that the information is personal information as defined in the [Freedom of Information and Protection of Privacy Act](#) and the information shall remain redacted.

The OEB finds that the information contained in the interrogatory responses to Staff-9 at Attachment 2 and FRPO-1 is commercially sensitive, and grants Enbridge Gas's request for confidential treatment.

The unredacted copies of these responses are deemed to be confidential and shall only be provided to parties that sign the OEB's Declaration and Undertaking. If Enbridge Gas objects to providing the unredacted information to any person that has signed the Declaration and Undertaking, it may file an objection with the OEB in accordance with s. 6.1.4 of the [Practice Direction on Confidential Filings](#).

## THE ONTARIO ENERGY BOARD ORDERS:

1. Enbridge Gas's request for the confidential treatment of the information contained in its responses to Staff-9 at Attachment 2 and FRPO-1 is granted. The redacted information in these exhibits shall only be provided to individuals that have signed and filed a Declaration and Undertaking.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2022-0203** 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Catherine Nguyen at [Catherine.Nguyen@oeb.ca](mailto:Catherine.Nguyen@oeb.ca) and OEB Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)  
Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto, **December 15, 2022**

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar