

EB-2022-0247
Scarborough Subway Expansion –
Kennedy Station Relocation Project

Interrogatories of Environmental Defence

Interrogatory # 1.0-ED-1

Reference: Exhibit B, Tab 1, Schedule 1

Question(s):

- (a) Enbridge states on page 5: “If gas assets in conflict are abandoned but not relocated, 22 customers in Figure 2, including 3 condominium building with multiple units, 1 Co-operative homes building with multiple units, and 18 commercial customers will lose all natural gas supply.” Please provide a table with the annual (m³/yr) and peak hour (m³/d) demand for each of the 22 customers by customer address. Please also include a column indicating whether the customer’s gas service is slated to be replaced as part of phase 1 or 2.
- (b) Please reproduce the map on page 5 (Figure 2) with the existing facilities that would be abandoned overlayed on the map. Please indicate the phase 1 and phase 2 facilities in different colours.
- (c) Please reproduce the map on page 5 (Figure 2) with the proposed new facilities overlayed on the map. Please indicate the phase 1 and phase 2 facilities in different colours.
- (d) Please provide a map showing the customers that are served by the district station that would be moved.
- (e) Please provide details on any development applications that have been made in relation to the 22 impacted customer addresses. Please obtain these details from the City of Toronto planning department. Please comment on how these developments could impact the need for the project, and alternatives, if at all.

Interrogatory # 1.0-ED-2

Reference: Exhibit B, Tab 1, Schedule 1

Question(s):

- (a) Enbridge states on page 5: “pressures in a large area surrounding these customer (within the Project area) will decrease significantly causing inlet pressure to over 50 other customers to be near minimum system pressure (“MSP”).” Please provide:
 - (i) A map showing the impacted customers;
 - (ii) A list of addresses of the impacted cost; and
 - (iii) A table showing the annual (m³/yr) and peak hour (m³/d) demand for these customers.

- (b) Enbridge refers to customers whose pressure would be near minimum system pressure if the facilities were abandoned and not replaced.
 - (i) Approximately how many other customers in Enbridge's system are as near or nearer to minimum system pressures now as those customers would become?
 - (ii) For those customers, would the system fail to meet certain CSA or other regulatory criteria if the facilities were abandoned but not replaced? If yes, please provide details.
- (c) Please provide a map and list showing the proposed new facilities that would serve those "over 50 other customers." The list of conflicting infrastructure appears to mostly refer to dead-end mains – we are seeking to isolate the conflicts that relate to other customers.
- (d) Please provide the project costs attributable to replacing the facilities referred to in (b) (i.e. the facilities that are serving other customers).
- (e) Page 3 refers to a "NPS 2 SC IP gas header service to 2480 Eglinton Ave. E." What is a "gas header"?

Interrogatory # 2.0-ED-3

Reference: Exhibit C, Tab 1, Schedule 1

Question(s):

- (a) When was Enbridge first made aware of the conflict between its facilities and the Scarborough Subway? Please provide as precise of a date as possible.
- (b) Please provide the first 3 emails between Enbridge and Metrolinx staff regarding the potential conflict.
- (c) Please explain whether phase 1 could be moved back at least one year, and if not, why not?

Interrogatory # 2.0-ED-4

Reference: Exhibit C, Tab 1, Schedule 1

Question(s):

- (a) Where there is a conflict between existing gas facilities and infrastructure proposed by a third-party proponent, does Enbridge believe it should ever consider integrated resource planning alternatives? Please explain in detail when this would and would not be appropriate.
- (b) Please provide the excerpts of Enbridge's evidence, testimony, and submissions in EB-2020-0091 (IRP proceeding) where it discussed the purpose and/or scope of the "customer-specific builds" binary screening criteria.

Interrogatory # 2.0-ED-5

Reference: Exhibit C, Tab 1, Schedule 1

Question(s):

- (a) Please confirm that the 22 customers, who would lose service if the abandoned facilities were not replaced, use gas for space and water heating only.
- (b) For each of the 22 customers, please provide a high-level estimate of the cost to replace their gas heating equipment with electric heat pumps.

Interrogatory # 2.0-ED-6

Reference: Exhibit C, Tab 1, Schedule 1

Preamble:

These questions are meant to explore whether the costs and disruption arising from the project could be reduced by giving the 22 impacted customers the option of being compensated for exiting the gas system, either individually or jointly. If Enbridge believes this option is not feasible or appropriate, please answer the questions regardless so that the feasibility and appropriateness can be determined by the OEB based on a complete factual record.

Question(s):

- (a) Please provide a table with the addresses of each of the 22 customers who would lose service if the abandoned facilities were not replaced, indicating: (i) the cost for infrastructure that would serve that customer alone and (ii) the proportion of the overall project costs that are attributable to the customer based on demand (by dividing the total cost by each customer's peak hour demand or annual demand).
- (b) Please write to those customers to ask their preferences between: (i) proceeding with the required construction and maintaining gas service; (ii) being paid an amount attributable to their service connection alone (see (a)(i) above) as compensation for being disconnected from the gas system; and (iii) working with their neighbours to be paid the proportion of the overall project costs attributable to their demand (see (a)(ii) above) as compensation for being disconnected from the gas system.

Interrogatory # 3.0-ED-7

Reference: Exhibit E, Tab 1, Schedule 1

Question(s):

- (a) Table 1 on page one lists the total project costs as \$4,565,577 whereas table 2 lists the total project costs as \$5,359,535. Please provide a table reconciling these figures, including a reconciliation of the individual project components.
- (b) Please provide an estimate and breakdown of the full site restoration costs, including any pipeline removal and/or abandonment costs. Please explain how these costs will be covered.

- (c) Please provide a breakdown of the total project costs between phase 1 and phase 2.
- (d) Please provide a breakdown of the site restoration costs between phase 1 and phase 2.
- (e) Please provide a breakdown of the costs as between the infrastructure that would service the 22 customers who would lose service if the abandoned facilities were not replaced and the infrastructure that is required to increase minimum service pressures downstream.
- (f) If the costs are greater than forecast (including contingency), who is liable for those costs?

Interrogatory # 3.0-ED-8

Reference: Exhibit E, Tab 1, Schedule 1

Question(s):

- (a) Please explain why Metrolinx would pay 100% of the cost of this project when Waterfront Toronto paid a lesser percentage in the Waterfront Relocation Project when a conflict arose in that case. Please provide full details.
- (b) Does Enbridge pay the City of Toronto for the easements applicable to the infrastructure that needs to be replaced?

Interrogatory # 5.0-ED-9

Reference: Exhibit G, Tab 1, Schedule 1

Question(s):

- (a) Enbridge states: “The PR follows public road allowance for the majority of the Project. However, bylaw or easement may be required where municipal road allowances are not dedicated. In addition, Enbridge Gas will be required to obtain road occupancy permits from the City of Toronto.” Is Enbridge 100% certain that relief will not be required under sections 98 or 101 of the *Ontario Energy Board Act*? Please explain the answer.
- (b) Please explain the legal basis for Enbridge’s properly rights (e.g. easements) with respect to the infrastructure to be replaced as part of this project. Please list any relevant legal instruments.
- (c) Please provide a copy of the easements that apply to the infrastructure that would be replaced as part of this project. Please also provide a copy of any other legal agreements with the City of Toronto that apply to that infrastructure.
- (d) Is the City of Toronto legally required to provide Enbridge with the additional easements Enbridge will require that are on City of Toronto property? If yes, please provide the agreements or law in which this legal obligation exists. Please also identify the relevant sections. If the answer differs depending on whether the land in question is within the road allowance, please explain.
- (e) Please reproduce Figure 1 (Exhibit D, Tab 1, Schedule 1) with red circles to indicate the trees that will likely require removal. To add clarity, please size the circles to the tree canopy side as approximately shown in the satellite image in Figure 1. If the full details

on which trees require removal are not yet available, please indicate which trees *may* require removal.