



**Haris Ginis**  
Technical Manager  
Leave to Construct Applications  
Regulatory Affairs

tel 416-495-5827  
[haris.ginis@enbridge.com](mailto:haris.ginis@enbridge.com)  
[EGRegulatoryProceedings@enbridge.com](mailto:EGRegulatoryProceedings@enbridge.com)

**Enbridge Gas Inc.**  
500 Consumers Road  
North York, Ontario  
M2J 1P8

## **VIA EMAIL and RESS**

May 1, 2023

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto, Ontario, M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc.  
Ontario Energy Board File Nos.  
EB-2022-0156 – Selwyn Pipeline Project (“SPP”)  
EB-2022-0248 – Mohawks of the Bay of Quinte First Nation Pipeline Project  
(“MBQFNPP”)  
EB-2022-0249 – Hidden Valley Pipeline Project (“HVPP”)  
Response to Environmental Defence’s Filing of Supplementary  
Interrogatories**

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This letter is a response to Environmental Defence’s (“ED”) correspondence dated April 25, 2023, wherein ED indicated its intention to file supplementary interrogatories in these matters and ED’s April 28, 2023, correspondence that included additional interrogatories. ED’s interrogatories are premised on the Ontario Energy Board’s (“OEB”) ruling in its April 17, 2023, Decision on Intervenor Evidence and Confidentiality that the economics of the proposed natural gas expansion projects may be explored through interrogatories or by further discovery or follow-up as the OEB may require.

Enbridge Gas submits that ED has misinterpreted the OEB’s ruling and that ED’s filing of supplementary interrogatories is inappropriate. If the OEB had intended to permit supplementary interrogatories, it would have done so as part of its ruling, which it did not do. This is consistent with the current stage of these proceedings. It would be inappropriate to permit further discovery while the current discovery process and the applicable responses are outstanding. The OEB clearly stated: “...but rather through interrogatories or by further discovery or follow-up **as the OEB may require**”<sup>1</sup>. On this basis, only after the conclusion of the current interrogatory process would the OEB be able to determine whether additional discovery is required. As a result, notwithstanding any supplementary interrogatories filed by ED, Enbridge Gas should not be required to respond to those interrogatories until after the current interrogatory responses are filed and only if the OEB, after due consideration of those responses, determines as to whether additional discovery is required.

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<sup>1</sup> EB-2022-0156/0248/0249 Decision on Intervenor Evidence and Confidentiality (April 17, 2023), p. 5.

If you have any questions, please contact the undersigned.

Sincerely,

Haris Ginis  
Technical Manager, Leave to Construct Applications

c.c. Charles Keizer (Torys)  
Henry Ren (Enbridge Gas Counsel)  
Guri Pannu (Enbridge Gas Counsel)  
Catherine Nguyen (OEB Staff)  
Zora Crnojacki (OEB Staff)  
Petar Prazic (OEB Staff)  
Intervenors (EB-2022-0156/EB-2022-0248/EB-2022-0249)