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Enbridge Gas Inc.
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VIA EMAIL and RESS

August 10, 2023

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

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (“Enbridge Gas” or the “Company”)
Ontario Energy Board (“OEB”) File No. EB-2022-0157
Panhandle Regional Expansion Project (“Project”)
Response to Late Request for Intervenor Status**

Enbridge Gas is in receipt of the late request for intervenor status dated August 2, 2023 submitted by the School Energy Coalition (“SEC”) within the above-mentioned proceeding. Enbridge Gas provides comments below, which the Company believes the OEB should take into consideration in determining whether to grant SEC intervenor status. Enbridge Gas also requests that, should the OEB accept SEC’s late request for intervenor status, SEC should be obliged to accept the current record and that its discovery should be focused only on the updated evidence.

Within SEC’s request, SEC provides three reasons why it is requesting late intervenor status, including:

1. The issue of the OEB’s economic tests (i.e., EBO 134 and EBO 188) and its applicability to the Project;
2. The updated Project costs; and,
3. The prudence of the Project costs.

Regarding item #1 above, notwithstanding SEC’s assertion that the issue was not apparent to SEC when the application was originally filed, the issue of project economics including the methodology used and the application of EBO 134 or EBO 188 is consistent with the OEB’s Natural Gas Facilities Handbook and the OEB’s Standard Leave to Construct Issues List (Appendix A) and is not a new issue in this proceeding or any other leave to construct proceeding.^{1,2}

¹ OEB Natural Gas Facilities Handbook (EB-2022-0081), March 31, 2022, pp. 26-28 (Section 4.4.3): “The applicant must demonstrate that the project’s economics meet the OEB’s economic tests using the methodology outlined in EBO 188 (including Appendix B) or EBO 134, as applicable.”

² Ibid, Appendix A, p. 49 (Issue 3.3): “Has the applicant demonstrated that the project’s economics meet the OEB’s economic tests using the methodology outlined in EBO 188 or EBO 134, as applicable?”

Regarding item #2 above, SEC does not provide details regarding why the updated project costs require SEC's intervention while the original project costs did not prompt SEC's intervention or, presumably, did not affect the interests that SEC represent. SEC merely indicates that the project costs have increased.

Regarding item #3 above, the review of the reasonableness of the forecast project cost estimates is consistent with the OEB's Natural Gas Facilities Handbook including the OEB's Standard Leave to Construct Issues List (Appendix A) and is not a new issue in this proceeding or any other leave to construct proceeding.³

Regarding SEC's assurance that it would review the record that has already been developed to avoid duplication, SEC is not explicit that its discovery would focus only on the updated evidence as per the OEB's direction within its Procedural Order No. 6 within the above-mentioned proceeding.⁴ Should the OEB accept SEC's late request for intervenor status, Enbridge Gas requests that SEC be obliged to accept the current record and that SEC's discovery be focused only on the updated evidence.

If you have any questions, please contact the undersigned.

Sincerely,

Haris Ginis
Technical Manager, Leave to Construct Applications

c.c. Charles Keizer (Torys)
Tania Persad (Enbridge Gas Counsel)
Zora Crnojacki (OEB Staff)
Intervenors (EB-2022-0157)

³ Ibid, Appendix A, p. 49 (Issue 3.1): "Has the applicant provided sufficient information to demonstrate that the estimates of the project costs are reasonable?"

⁴ OEB Procedural Order No. 6 (EB-2022-0157), July 28, 2023, p. 3: "The OEB directs that discovery should be focused only on the updated evidence."