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BY EMAIL

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Dear Mark Rubenstein and Khaled Abu-Eseifan:

Re: **Enbridge Gas Inc. (Enbridge Gas)
Panhandle Regional Expansion Project - OEB File Number: EB-2022-0157
School Energy Coalition (SEC) and Kitchener Utilities Late Intervention
Requests**

On August 2, 2023, School Energy Coalition (SEC) requested late intervention in the above noted proceeding.

On June 10, 2022 Enbridge Gas Inc. (Enbridge Gas) applied to the Ontario Energy Board (OEB) 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 a Panhandle Regional Expansion Project (Project). The Project included approximately 19 kilometres of natural gas pipeline from Enbridge Gas's Dover Transmission Station in the Municipality of Chatham Kent (Panhandle Loop) and approximately 12 kilometres of natural gas pipeline in the Municipality of Lakeshore, Town of Kingsville and the Municipality of Leamington (Leamington Interconnect).

On December 5, 2022, Enbridge Gas requested that the OEB place the application in abeyance because it intended to amend its application. The OEB approved Enbridge Gas's request and placed the application in abeyance as of December 5, 2022. On June 16, 2023, Enbridge Gas amended its original application as follows: removed the Leamington Interconnect part of the Project, updated the project demand forecast, project construction and in-service schedules, the costs and economics and the other evidence affected by the changes in the project's scope, schedule and costs.

On July 28, 2023, by way of Procedural Order No. 6, the OEB resumed the proceeding and set a revised procedural schedule for the proceeding including provision for written discovery, a transcribed technical conference and written submissions. In the late intervention request, SEC explained that it would address and examine the issues that were not apparent to SEC prior to application amendment. SEC noted that these issues are the interaction between EBO 188 and EBO 134, material increase in Project cost and Enbridge Gas's proposed rate treatment in the current 2024 rebasing application¹ pending determination of the prudence of the capital cost for the Project in the leave to construct proceeding. SEC also acknowledged that a record has been developed based on the original application and would review that record to avoid duplication.

Enbridge Gas filed a response to SEC's request in a letter dated August 10, 2023. While Enbridge Gas did not explicitly oppose SEC's intervention, it did comment on SEC's description of the nature of some of the issues in this proceeding and their relationship to issues arising in Enbridge Gas's rebasing application currently before the OEB in EB-2022-0200. SEC filed a response in a letter dated August 14, 2023, indicating among other matters that Enbridge had not explained how they might be prejudiced by SEC's participation. SEC confirmed that it would comply with the procedural orders already issued in this proceeding, accepts the current record as is, and would focus its discovery efforts on the updated evidence.

The OEB recognizes that because of the way in which the Project is being addressed in the two proceedings, this may have implications for issues in this proceeding.

The OEB grants SEC intervenor status and cost award eligibility.

¹ EB-2022-0200

In a letter dated August 15, 2023, Kitchener Utilities requested late intervention. Kitchener Utilities is an embedded gas distributor and will be potentially affected by the Project and its related costs, based on current cost allocation. The OEB grants Kitchener Utilities intervenor status. Kitchener Utilities must accept the current record and comply with the direction in Procedural Order No. 6. Kitchener Utilities is not eligible for costs.

Yours truly,

Nancy Marconi
Registrar

C. All parties in the EB-2022-0157