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OEB BOARD SECRETARY	
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Panel	<u>CS, BR, PS</u>
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JUN 25 2007

ONTARIO ENERGY BOARD

June 22, 2007

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 26th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Subject: Application for an Order Granting Leave to Construct
Additional Storage & Supply Project
Pearson International Fuel Facilities Corporation (PIFFC)**

We are pleased to provide the following information as requested by the Ontario Energy Board's letter of May 24, 2007 and an update to a commitment made in the Applicant's Environmental Report.

(A) Corporate Information Regarding PIFFC

(i) The names of the directors and officers of PIFFC are as follows:

- Mr. James Fee - President

(ii) PIFFC has been incorporated since 1986 and is responsible for the acquisition, construction, financing and leasing of assets used for the fueling of aircraft at Pearson International Airport. PIFFC owns the capital assets required for fuel delivery services at Pearson International Airport.

PIFFC has previously constructed 30 km of jet fuel pipeline, varying in diameter from 150 mm to 300mm, within the limits of Pearson Airport. As well, PIFFC has constructed a tank farm within the airport that supplies jet fuel to the existing pipeline system.

(iii) A copy of the completed affidavit will follow under separate cover.

(B) Status of Other Required Approvals

(i) As per the TSSA's letter of January 30, 2007, we note that PIFFC is not obligated to prepare a pipeline integrity management program due to the fact that the operating stress of the proposed pipeline will be below 30% of the pipeline's Specified Minimum Yield Strength (SMYS).

However, as per our previous response to the OEB, PIFFC recognizes the value of having an integrity management program and intends to prepare such a plan in accordance with the Director's Order and

CSA Code Z662-03. This program will be prepared concurrent with the design of the pipeline and a copy of the proposed program will be provided to the TSSA.

- (ii) We are working to prepare the agreement with the City for the installation of the proposed pipeline within the City's rights-of-way. As per the previously provided April 19, 2007 email from Tom Penwarden, of the City's Realty Services Department, in order to complete the agreement it will be necessary to:
- Provide a strata reference plan;
 - Provide requested fee(s);
 - Provide insurances and indemnities as determined by the City; and
 - Provide a Letter of Credit, bond, or some other surety in the event of removal or remedy by the City.

In addition, the City has also requested that a copy of the OEB's Leave to Construct be provided when it is issued.

With respect to the approval period, we have been advised by the City (Mr. Tom Penwarden) that their estimate to finalise the agreement will be 6 months.

- (iii) The Region (Mr. Ken Chartrand) has committed to providing us with a status update on the Derry Road crossing application by Monday June 25, 2007. We will forward you a copy of their correspondence when it is made available to us.
- (iv) The approval for the section of the pipeline located within the limits of Pearson International Airport is continuing to be coordinated and finalised with the Greater Toronto Airport Authority (GTAA). The GTAA manages, operates and maintains Pearson International Airport. Access and approval from the GTAA for the installation of the proposed pipeline is following a process that is used for the construction of new infrastructure within the airport.

(C) Aboriginal Peoples

PIFFC has followed the OEB's "Leave to Construct" process. A copy of the application and environmental report was provided to the Ontario Secretariat for Aboriginal Affairs. A copy of the submission letter has been appended. To date we have received no comments from the Secretariat.

We also wish to note that the proposed pipeline route is located within an existing and fully developed industrial/commercial subdivision, including a significant portion that is located within municipal and regional rights-of-way, in the City of Mississauga.

In addition, we have contacted the Comprehensive Claims and Specific Claims sections of Indian and Northern Affairs Canada (Ms. Dawn Cayer and Mr. Don Boswell, respectively). The information received to date from the Specific Claims section stated that "no specific claims affecting the property have been filed to date." A copy of the communications containing this information is attached. We have also received a verbal response from the Comprehensive Claims section confirming that there is no comprehensive claim in the

proposed project area. A written response from the Comprehensive Claims section is to follow. We will forward a copy of their correspondence when it is made available to us.

As such, PIFFC is not aware of any Aboriginal land claims that may be affected by the proposed project. For this reason PIFFC has not made any further inquiries to determine if there are any aboriginal communities who may be affected. We are also not aware of any known Crown involvement with Aboriginal Groups in respect of the applied for project

(D) Update on Environmental Report Commitment

We wish to take this opportunity to provide an update on a commitment made in the Applicant's Environmental Report. As per the report, a Stage 3 investigation of the two archaeological sites identified in the GTAA's "Beanfield" lands was carried out this spring. As a result of this investigation a Stage 4 investigation will be carried out on one of the sites. In accordance with standard industry practice all of these investigations, and the subsequent reporting of findings have been, and will continue to be, carried out in accordance with Ontario's Ministry of Culture's guidelines.

We trust that this submission meets you needs. If you have any questions or require any clarification please do not hesitate to contact the undersigned.

Yours very truly

MMM GROUP LIMITED



Garry Doyle, P.Eng.
Senior Project Engineer
Municipal Design

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- c: Mr. James Fee - PIFFC
Mr. Stephen Vieira – FSM Management Group
Ms. Anna Namiotkewicz - MMM
Mr. Tom Chang – MMM
Mr. George Vegh – McCarthy-Tetrault