



Enbridge Gas Inc.

**Application for leave to construct natural gas pipeline
and associated facilities in the Community of Sandford
in the Township of Uxbridge**

**PROCEDURAL ORDER NO. 1
October 19, 2023**

Enbridge Gas Inc. (Enbridge Gas) has 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 approximately 13 kilometres of natural gas pipeline and associated facilities in the Community of Sandford, within the Township of Uxbridge. The proposed natural gas pipeline consists of approximately 4.9 kilometres of nominal pipe size (NPS) 2-inch polyethylene (PE) distribution pipeline and approximately 8.4 kilometres of NPS 4-inch PE distribution pipeline. The proposed pipeline would supply natural gas to approximately 183 customers in the community of Sandford who currently do not have access to natural gas service. Enbridge Gas has also applied to the OEB for approval of the form of land use agreements it offers to landowners for the routing and construction of the project.

Enbridge Gas is also seeking approval to cancel and supersede the existing Certificates of Public Convenience and Necessity held by Enbridge Gas Inc. for the former Town of Uxbridge, the former Township of Uxbridge and the former Township of Scott and replace them with a single Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Township of Uxbridge.

A Notice of Hearing was issued on September 11, 2023. Environmental Defence (ED), Pollution Probe and Elizabeth Carswell applied for intervenor status. ED and Pollution Probe applied for cost eligibility.

Enbridge Gas filed a letter dated October 12, 2023, informing the OEB that it does not object to the intervention of ED, Pollution Probe and Elizabeth Carswell as well as any associated cost eligibility requests. In its letter, Enbridge Gas noted that there is overlap in the areas of focus of ED and Elizabeth Carswell and suggested that the OEB encourage parties to coordinate their efforts to avoid duplication and ensure regulatory efficiency.

ED, Pollution Probe and Elizabeth Carswell are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. ED and Pollution Probe are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#) (Practice Direction).

All intervenors are encouraged to coordinate efforts to the extent possible. Pursuant to section 5.01 of the Practice Direction, in determining the amount of a cost award to a party, the OEB may consider, among other things, whether the party has demonstrated through its participation and documented in its cost claim that it has made reasonable efforts to combine its intervention with that of one or more similarly interested parties, and to co-operate with all other parties. Cost eligible intervenors should also be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

Request for Confidentiality

Enbridge Gas has requested confidential treatment for personal information in the Environmental Report (Exhibit F/Tab 1/Schedule 1/Attachment 1) and in the Landowner List (Exhibit G/Tab 1/Schedule 1/Attachment 3).

The OEB has reviewed Enbridge Gas's request for the redaction of personal information. The OEB finds that the redacted information in the Environmental Report (Exhibit F/Tab 1/Schedule 1/ Attachment 1) and in the Landowner List (Exhibit G/Tab 1/Schedule 1/ Attachments 3) is personal information as defined in the Freedom of Information and Protection of Privacy Act (FIPPA) and the OEB's [Practice Direction on Confidential Filings](#). Therefore, the information regarding property owners shall remain redacted and shall not be provided to the intervenors in this proceeding.

Filing of Intervenor Evidence

In its letter of intervention, ED stated that it wished to file evidence in this proceeding. Elizabeth Carswell also mentioned, in her letter of intervention, that she may wish to file evidence in this proceeding.

The OEB will make a determination on requests to file evidence in the current proceeding, and any process associated with that request, at a later date.

Interrogatories

At this time, provision is being made for written interrogatories. In preparing their interrogatories, parties should refer to the OEB's [standard Issues List](#) for natural gas leave to construct applications. Parties should not engage in detailed exploration of

issues that do not appear to be material. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

Technical Conference

ED stated that it may request that the OEB make provision for a technical conference following the receipt of interrogatory responses.

The OEB will make its determination on the request for a technical conference after the responses to interrogatories have been filed. OEB staff and intervenors may file comments on the need for a technical conference in accordance with the schedule set out in this Procedural Order. Enbridge will have the opportunity to respond to those comments.

Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and intervenors shall request any relevant information and documentation from Enbridge Gas that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by, **November 2, 2023**.
2. Enbridge Gas shall file with the OEB complete written responses to all interrogatories and serve them on intervenors by, **November 16, 2023**.
3. If OEB staff and intervenors wish to file comments regarding the need for a technical conference, they shall file those comments with the OEB by **November 20, 2023**.
4. Enbridge Gas may file a response to the comments regarding the need for a technical conference with the OEB by **November 22, 2023**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2023-0200** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Kaidie Williams at Kaidie.Williams@oeb.ca and OEB Counsel, Jamie Sidlofsky at James.Sidlofsky@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **October 19, 2023**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A
LIST OF APPLICANT AND INTERVENORS
ENBRIDGE GAS INC.
EB-2023-0200
OCTOBER 19, 2023

Enbridge Gas Inc.
EB-2023-0200

APPLICANT & LIST OF INTERVENORS

October 19, 2023

APPLICANT

Rep. and Contact Information for Service

Enbridge Gas Inc.

Brittany Zimmer

Sr. Advisor, Leave to Construct Applications

Enbridge Gas Inc.

Tel: 519-436-4000

EGIRegulatoryProceedings@enbridge.com

APPLICANT COUNSEL

Guri Pannu

Senior Legal Counsel

Enbridge Gas Distribution Inc.

Tel: 416-758-4761

guri.pannu@enbridge.com

INTERVENORS

Rep. and Contact Information for Service

**Environmental Defence
Canada Inc.**

Kent Elson

Elson Advocacy

Tel: 416-906-7305

kent@elsonadvocacy.ca

Jack Gibbons

Ontario Clean Air Alliance

Tel: 416-260-2080 Ext: 2

jack@cleanairalliance.org

Enbridge Gas Inc.
EB-2023-0200

APPLICANT & LIST OF INTERVENORS

October 19, 2023

**Environmental Defence
Canada Inc.**

Amanda Montgomery
Elson Advocacy
Tel: 416-906-7305
amanda@elsonadvocacy.ca

Independent Participant

Elizabeth Carswell
Independent Participant
Tel: 416-618-5445
elizabeth@cyoo.ca

Pollution Probe

Richard Carlson
Director
Pollution Probe
Tel: 416-926-1907 Ext: 251
rcarlson@pollutionprobe.org

Michael Brophy
Consultant for Pollution Probe
Michael Brophy Consulting Inc.
Tel: 647-330-1217
michael.brophy@rogers.com