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BY EMAIL AND RESS
registrar@oeb.ca

Ms. Nancy Marconi
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Enbridge Gas Inc. (“EGI”) Panhandle Regional Expansion Project (“Panhandle Project”) (EB-2022-0157) (“Proceeding”)
Association of Power Producers of Ontario (“APPrO”)**

We write on behalf of APPrO in response to the letter filed by the Federation of Rental-housing Providers of Ontario (“FRPO”) on November 4, 2023. We understand that FRPO is advancing a request for a further round of interrogatory responses to be filed by EGI no later than November 9th. APPrO opposes this request. APPrO is supportive of the timely approval and construction of the Panhandle Project and any further delays are unwarranted. The record is clear that the Panhandle Project best addresses the identified need.

FRPO’s basis for its request is that the number and sources of evidence through the evolution of this proceeding creates difficulty in ensuring the record is clear enough to allow for informed determinations. APPrO does not agree with this characterization. Several interveners are attempting to cast this Proceeding as being far more complicated than what is before the Ontario Energy Board (“OEB”).

The Panhandle Project is simply the twinning of a transmission pipeline parallel to the existing right of way. EGI considered an array of alternatives, including the Ojibway supply being advocated for by FRPO, and concluded the Panhandle Project is the optimal solution for meeting the identified system need. Evidence updates by EGI in June 2023 for the Panhandle Project only related to system capacity, demand forecast, project costs and in-service date. There are no material gaps in the evidence, despite FRPO’s attempt to cast doubt over the clarity of the Proceeding record.

Even if a lack of technical clarity exists, which APPrO does not agree with, EGI will provide a 20-minute presentation on the Panhandle system and proposed project at the beginning of the hybrid hearing to the OEB Panel. This will allow the OEB Panel to clarify any gaps if they exist. APPrO does not agree that a technical conference would be of any benefit in the circumstances.

EGI provided responses to FRPO interrogatories 5¹ and 18 on September 22, 2022 and FRPO interrogatories 4 (updated) and 29 on October 3, 2023. EGI's responses comply with section 27 of the OEB's Rules of Practice and Procedure ("**Rules**"). If FRPO was not satisfied with the responses provided by EGI, FRPO should have availed itself of the recourse available under section 27.03 of the Rules far sooner.

It is wholly unfair for FRPO to sit on interrogatory responses it viewed as inadequate for over a year (or over a month in the case of FRPO.4 and 29) and suddenly demand responses to detailed technical interrogatories within 5 days, two of which are on a weekend, in the week before a hearing. Accordingly, APPrO submits that the OEB reject FRPO's request. These are matters FRPO can raise during the hybrid hearing.

Yours truly,

BORDEN LADNER GERVAIS LLP



Colm Boyle

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¹ See also the correspondence from EGI dated August 25, 2023 stating that FRPO.5 is no longer applicable.