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Tuesday September 23, 2008

VIA COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

**Re: Enbridge Gas Distribution Inc. ("Enbridge")
Pipeline to Serve the Proposed Northland Power Plant - Thorold
EB-2008-0065 – Interrogatory Responses**

As per paragraph No. 2 of the Board's Procedural Order dated August 27, 2008, please find attached Enbridge Gas Distribution's Interrogatory responses in the above mentioned proceeding.

The Interrogatory responses have also been filed through the Ontario Energy Board's Regulatory Electronic Submission System (RESS) and a copy of the submission reference is enclosed.

If you have any questions, please contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to read "Cathy Carriero", written over a horizontal line.

Cathy Carriero
Regulatory Coordinator

Attachment

cc: EB-2008-0065 Interested Parties
Scott Stoll, Aird & Berlis

BOARD STAFF INTERROGATORY #1

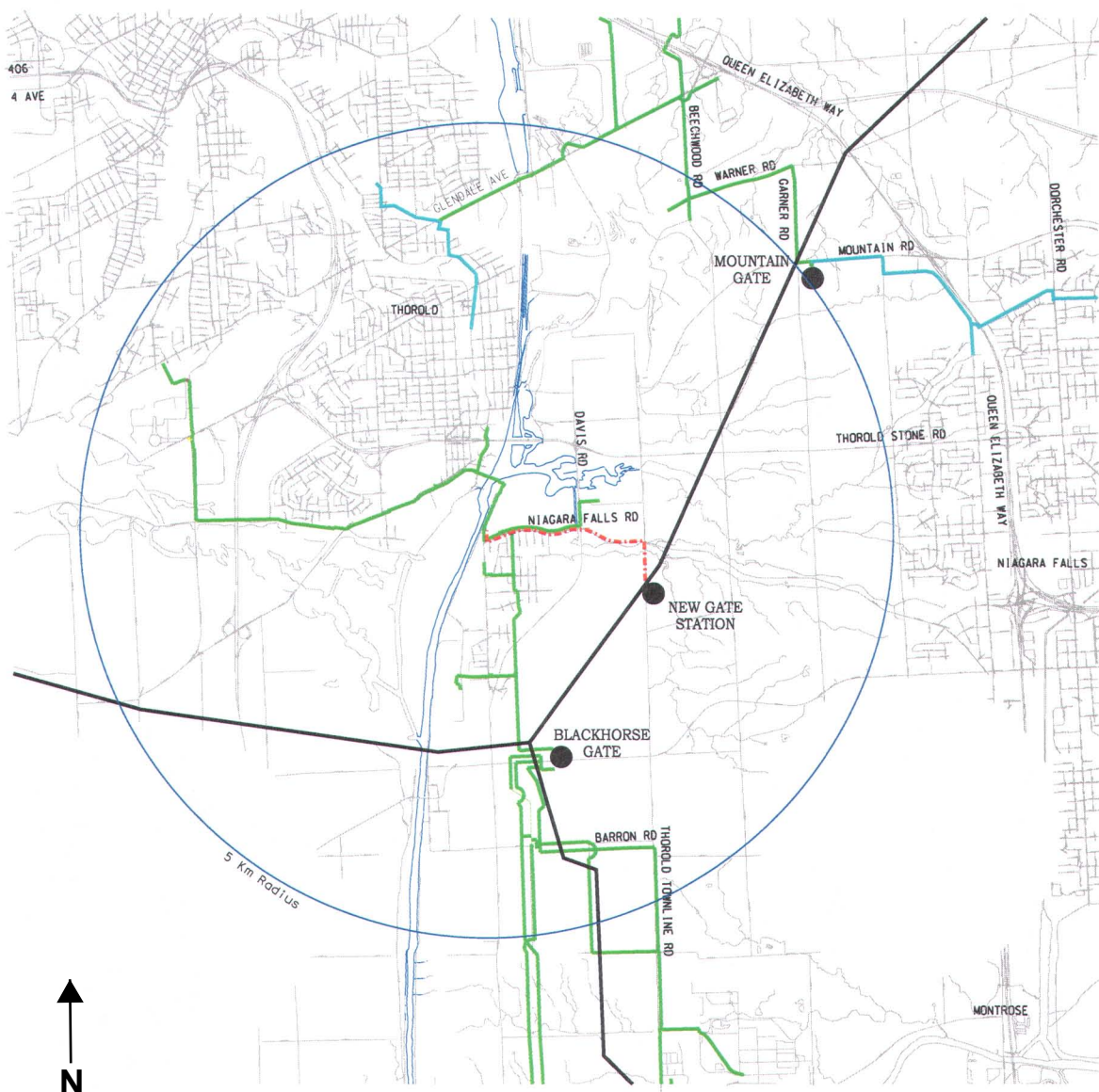
INTERROGATORY

Ref: Exhibit B, Application, Tab 1, Schedule 1, Map

- a) Please provide a map showing all Enbridge's and TransCanada's high pressure pipelines within a radius of 5 km of Thorold Cogen plant site.

RESPONSE

A map showing all of Enbridge Gas Distribution's and TransCanada's high pressure pipelines within a radius of 5 km of the Thorold Cogen plant site is attached.



OEB INTERROGATORY #1 - 5 Km RADIUS MAP FROM NORTHLAND POWER PLANT - THOROLD

SCALE
 N.T.S.

LEGEND

- PROPOSED XHP GAS MAIN
- TCPL PIPELINES (36" & 20")
- EXISTING XHP GAS MAINS
- EXISTING HP GAS MAINS
- GATE STATIONS

ENBRIDGE

BOARD STAFF INTERROGATORY #2

INTERROGATORY

Ref: Exhibit A, Application, Tab 3, Schedule 3

- a) Will this 2.9 km pipeline be exclusively dedicated to serving the Thorold Cogeneration power plant?
- b) Are there any plans for the future where another customer would be served through the subject pipeline? If so, please provide details.

RESPONSE

- a) At this time, the 2.9 km pipeline will be exclusively dedicated to the Thorold cogeneration power plant.
- b) Enbridge Gas Distribution does not have any plans to add additional customers to this pipeline.

Witness: T. Short

BOARD STAFF INTERROGATORY #3

INTERROGATORY

Ref: Exhibit A, Application, Tab 2, Schedule 1, Paragraph 3

- a) Please list all the functions of this gate station.
- b) Will the gas measurement at the gate station be the primary measurement point for the Thorold Cogen power plant? Will Northland also be constructing its own "in house" gas measurement facility? If so, why the duplication?
- c) Will TransCanada Pipelines also be constructing its own meter station at the take off point? If so, why the duplication?

RESPONSE

- a) The functions of the gate station are measurement and telemetry, pressure control and over pressure protection, heating and odorization.
- b)
 - (i) No
 - (ii) Enbridge Gas Distribution understands that Thorold CoGen L.P is planning to build a metering facility.
 - (iii) The installation of the metering facility by the customer is not part of the project and is at the option of the customer.
- c)
 - (i) The TransCanada Pipeline meter at the transfer station will be used for measurement, monitoring and billing purposes.
 - (ii) The typical practice at the transfer point is for both the vendor and purchaser to provide cross-checking measurement.

Witness: T. Short

BOARD STAFF INTERROGATORY #4

INTERROGATORY

Ref: Exhibit E, Application, Tab 1, Schedule1, Page 2, Paragraph 2
And Exhibit E, Application, Tab 1, Schedule 2, Page 5
And Exhibit A, Application, Tab 3, Schedule 2

- a) Please reconcile the annual revenue figure of \$836,820 per year for year 2 and subsequent years with the projected daily gas volumes, the maximum daily volume of 2,037,676 m³, the billing contract demand volume of 768,449 m³, and a unit rate of 9.0032 cents per m³.

RESPONSE

Rate 125 tariff states that:

"For Non-Dedicated Service the monthly demand charges payable shall be based on the Contract Demand which shall be 24 times the Hourly Demand and the Applicant shall not exceed the Hourly Demand. For Dedicated Service the monthly demand charges payable shall be based on the Billing Contract Demand specified in the Service Contract. The applicant shall not exceed an hourly flow calculated as 1/24th of the Contract Demand specified in the Service Contract."

Thorold Cogen has contracted the Rate 125 Dedicated Service. The Billing Contract Demand (768 449 m³) is calculated using the methodology at Exhibit E, Tab 1, Schedule 2.

The annual revenue calculation is as follows:

- Customer Charge: $\$500 \times 12 = \$ 6,000$.
- Demand charge: $9.0032/100 \text{ \$/m}^3 \times 12 \times 768,449 \text{ m}^3 = \$ 830,220$.
- Direct Purchase Administration Charge: $\$50 \times 12 = \$ 600$.
- Total annual revenue: $\$ 6,000 + \$ 830,220 + \$ 600 = \$ 836,820$.

The maximum daily volume (2 037 676 m³) is a function of the design capability and equals the Contract Demand, not the Billing Contract Demand.

Witness: G. Arsic

BOARD STAFF INTERROGATORY #5

INTERROGATORY

Ref: Exhibit A, Application, Tab 3, Schedule 5, page 53 & 54

- a) Please provide a signed copy of the irrevocable bank letter of credit guaranteeing the \$6,397,224. If such a signed letter of credit is not yet available, is it the Applicant's intent to file such a copy of such Letter of Credit with the Board prior to the start of, or after substantive progress on the pipeline's construction? Please provide details of the Applicant's intent in respect of this matter.

RESPONSE

- a) A signed copy of an irrevocable bank letter of credit guaranteeing the estimated full project cost of \$6,397,224 is not yet available. The form of the letter of credit is filed at Exhibit A, Tab 3, Schedule 5 pages 52 and 53 of 56. The amount of the Letter of Credit will be updated as provided at Exhibit A, Tab 3, Schedule 5 page 46 of 56. Enbridge Gas Distribution ("Enbridge") undertakes to file the updated Letters of Credit as they are required. To-date, Enbridge has a signed irrevocable bank letter of credit from Thorold CoGen L.P in the amount of Cdn\$1,090,000 which covers costs committed to-date. A copy of the amendment to the letter of credit evidencing such amount is attached.

Witness: T. Short



Bank of Montreal

234 Simcoe Street 3rd Floor
Toronto ON M5T 1T4
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2
Telex: MCI 62960

Filed: 2008-09-23
EB-2008-0065
Exhibit G
Tab 1
Schedule 5
Page 1 of 2
Attachment

ENBRIDGE GAS DISTRIBUTION INC.
500 CONSUMERS ROAD
NORTH YORK, ONTARIO M2J 1P8 Canada

August 20, 2008

Re: Our Irrevocable Standby Letter of Credit No.: BMTO185769OS
Applicant: THOROLD COGEN L.P.

Dear Customer,

Applicant:
Thorold CoGen L.P.
30 St. Clair Ave W., 17th Floor
Toronto, ON M4V 3A1 Canada

Amendment No. 2

We amend our Standby Letter of Credit subject to the following terms and conditions. This amendment forms an integral part of the original instrument. All other terms and conditions remain unchanged.

Amended Terms:

The amount of the Standby Letter of Credit is increased by: CAD445,000.00 to CAD1,090,000.00

End of Amended Terms

Re: Gas Delivery Agreement bearing the date of August 15, 2007 for gas delivery services to Customer's 265 megawatt natural gas fuelled electric generating station known as the Thorold CoGen Facility.

ORIGINAL



Unless otherwise instructed herein, all correspondence and enquiries regarding this transaction should be directed to our Customer Service Centre at the above address, telephone: 416-598-6112. Please indicate our reference number in all your correspondence or telephone enquiries.

Regards,

Authorized Signature(s)

KRISHNA MORTHY RAMASWAMY

ROUMIANA GEORGIEVA

ORIGINAL

BOARD STAFF INTERROGATORY #6

INTERROGATORY

Ref: Exhibit C, Tab 1, Schedule 1, Page 1

a) Please specify the Ontario pipeline codes and standards to which the pipeline will be constructed.

RESPONSE

The pipeline will be constructed to the Canadian Standards Association Z662 Oil and Gas Pipeline Systems as stated in Ontario Regulation 210/01 – Oil and Gas Pipeline Systems. The design specifications can be found at Exhibit C, Tab 1, Schedule 1.

Witness: N. MacNeil

BOARD STAFF INTERROGATORY #7

INTERROGATORY

Ref: Exhibit D, Tab 1, Schedule 2

a) Please provide a list of permits and approvals necessary from all authorized agencies for the construction and operation of the proposed pipeline and the current status of each.

RESPONSE

A list of permits and approvals from all authorized agencies for the construction and operation of the proposed pipeline including the status of each can be found on the next page.

Witness: E. Makkinga
N. MacNeil

<u>Authority</u>	<u>Permit</u>	<u>Status</u>
The City of Niagara Falls 4310 Queen Street Niagara Falls, Ontario, Canada L2E 6X5	Municipal Consent	Approved on June 11, 2008
The Corporation of the Township of Thorold/City of Thorold 3540 Schmon Parkway, P.O. Box 1044 Thorold, Ontario L2V 4A7	Municipal Consent	Applied for on May 28, 2008
Niagara Peninsula Conservation Authority 250 Thorold Road West Welland, Ontario L3C 3W2	Development, Interference with Wetlands and Alteration to Shorelines and Watercourses	Two Permits #1 Approved July 7, 2008 #2 Applied for September 11, 2008
Ministry of Transportation of Ontario 7 th Floor, Building D 1201 Wilson Avenue Downsview, Ontario M3M 1J8	MTO Encroachment Permit	Applied for June 24, 2008
Department of Fisheries and Oceans 3027 Harvester Road, Suite 304 P.O. Box 85060 Burlington, Ontario L7R 4K3	Operational Statement Notification (High-Pressure Directional Drill)	Notified on June 23, 2008
* Abitibi Consolidated P.O. Box 1040 2 Allanburg Road Thorold, Ontario L2V 3Z3	Railway Crossing	Applied for on July 22, 2008

* In the Environmental Assessment found at Exhibit B, Tab 2, Schedule 3 p.6.14, Enbridge Gas Distribution ("Enbridge") was to contact the Canadian National Railway ("CNR") to discuss crossing procedures and determine if any mitigation measures were required. Enbridge was informed by the CNR to contact Abitibi Consolidated to obtain approval.

Witness: E. Makkinga
N. MacNeil

<u>Authority</u>	<u>Permit</u>	<u>Status</u>
TransCanada PipeLines Limited c/o Scott Land and Lease Ltd. 202 6 th Avenue S.W., Suite 900 Calgary, Alberta T2P 2R9	Working within 30m of a National Energy Board regulated pipeline	If required

Witness: E. Makkinga
N. MacNeil

BOARD STAFF INTERROGATORY #8

INTERROGATORY

Ref: Exhibit D, Tab 1, Schedule 2

Please provide a status update on consultations with Aboriginal groups with regard to the following points:

- a) Identify all of the Aboriginal groups that have been contacted in respect of this application.
- b) Indicate: i) when contact was first initiated; ii) the individuals within the Aboriginal group who were contacted, and their position in or representative role for the group; iii) a listing, including the dates, of any phone calls, meetings and other means that may have been used to provide information about the project and hear any interests or concerns of Aboriginal groups with respect to the project.
- c) Provide information gathered from or about the Aboriginals as to their treaty rights, or any filed and outstanding claims or litigation concerning their treaty rights or treaty land entitlement or aboriginal title or rights, which may potentially be impacted by the project.
- d) Provide written documentation regarding consultations, such as notes or minutes that may have been taken at meetings or from phone calls, or letters received from, or sent to, Aboriginal groups.
- e) Identify any specific issues or concerns that have been raised by Aboriginal groups in respect of the project and, where applicable, how those issues or concerns will be mitigated or accommodated.
- f) Explain whether any of the concerns raised by Aboriginal groups with respect to the applied-for project have been discussed with any government department or agencies, and if so, identify when contacts were made and who was contacted.
- g) If any of the Aboriginal groups who were contacted either support the application or have no objection to the project proceeding, identify those groups and provide any available written documentation of their position. Also, indicate if their positions are final or preliminary or conditional in nature.
- h) Provide details of any known Crown involvement in consultations with Aboriginal groups in respect of the applied-for project.

Witness: E. Makkinga

RESPONSE

- a) Stantec, on behalf of Enbridge Gas Distribution Inc. ("Enbridge"), contacted Indian and Northern Affairs Canada ("INAC") to provide notification of the commencement of the Environmental Assessment ("EA"). Stantec also contacted INAC Litigation Management and Resolution Branch, INAC Comprehensive Claims Branch and the INAC Specific Claims Branch.
- b) i) Stantec first contacted INAC on May 4, 2007 to notify them of the commencement of the EA.
- ii) Miranda Lesperance, a Junior Environmental Officer was the contact person within the Ontario Region of INAC.
- iii) Please see chart below:

Stakeholder	Type of Correspondence	Date	Issue or Concern
INAC	Letter	May 4, 2007	Notification of EA Commencement
INAC (Litigation Management and Resolutions Branch)	Email	July 12, 2007	Inquiry about any claims within the study area that they are aware of
INAC (Comprehensive Claims Branch)	Email	July 13, 2007	Inquiry about any claims within the study area that they are aware of
INAC (Specific Claims Branch)	Email	July 19, 2007	Inquiry about any claims within the study area that they are aware of

- c) The Association of Iroquois and Allied Indians ("AIAI") provided correspondence to Stantec on September 6, 2007 by fax stating that they did not have any information to provide regarding route selection or technological alternatives. The AIAI suggested further consultation with First Nations who may not have been identified by the Ontario Ministry of Environment, or the Ontario Aboriginal Affairs Secretariat.

The INAC Specific Claims Branch provided correspondence to Stantec on July 19, 2007 by email to suggest that their search determined no specific claims had been submitted within the study area.

Witness: E. Makkinga

The INAC Comprehensive Claims Branch provided correspondence to Stantec on by letter to suggest that they could not confirm that there were no comprehensive claims in Thorold South, County of Niagara, Ontario.

The INAC Litigation Management and Resolutions Branch provided correspondence to Stantec on July 30, 2007 by email to advise them that their inventory did not include any active litigation in the vicinity of the study area.

- d) Written documentation regarding consultations, such as notes or minutes that may have been taken at meetings or from phone calls, or letters received from, or sent to, Aboriginal groups are provided in the Environmental Assessment found at Exhibit E, Tab 2, Schedule 3, specifically Appendix B1 and B3 of the Leave To Construct application.
- e) No specific issues or concerns have been raised by Aboriginal groups in respect of the project that require mitigation or accommodation.
- f) No concerns were raised by Aboriginal groups with respect to the applied-for project and there was no requirement to discuss with any government department or agencies.
- g) As part of the aboriginal consultation process, Enbridge has received no specific objections to the project.

Written documentation regarding consultation is provided in the Environmental Assessment found at Exhibit E, Tab 3, Schedule 1, specifically Appendix B1 and B3 of the Leave To Construct application. Stantec concluded that no follow-up was required and the agency positions were final in nature.

In addition, should archeological sites of significance be uncovered, Enbridge will follow the measures for mitigating the concern as recommended in the archeological assessment. The archeological assessment can be found at Exhibit E, Tab 2, Schedule 3, Appendix E.

- h) The Crown was not directly involved in consultations with Aboriginal groups in respect of the applied-for project.

BOARD STAFF INTERROGATORY #9

INTERROGATORY

Please review and provide any concerns and/or comments on the draft conditions of approval (if leave is granted) as set out below:

DRAFT
Conditions of Approval Leave to Construct

1 General Requirements

1.1 Enbridge Gas Distribution Inc. ("Enbridge") shall construct the facilities and restore the land in accordance with its application and the evidence filed in EB-2008-0065, except as modified by this Order and these Conditions of Approval.

1.2 Unless otherwise ordered by the Board, authorization for Leave to Construct shall terminate December 31, 2009, unless construction has commenced prior to that date.

1.3 Except as modified by this Order, Enbridge shall implement all the recommendations of the Environmental Report filed in the pre-filed evidence, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee ("OPCC") review.

1.4 Enbridge shall advise the Board's designated representative of any proposed material change in construction or restoration procedures and, except in an emergency, Enbridge shall not make such change without prior approval of the Board or its designated representative. In the event of an emergency, the Board shall be informed immediately after the fact.

2 Project and Communications Requirements

2.1 The Board's designated representative for the purpose of these Conditions of Approval shall be the Manager, Facilities Applications.

2.2 Enbridge shall designate a person as project engineer and shall provide the name of the individual to the Board's designated representative. The project engineer will be responsible for the fulfilment of the Conditions of Approval on the construction site. Enbridge shall provide a copy of the Order and Conditions of Approval to the project engineer, within seven days of the Board's Order being issued.

Witness: N. MacNeil

- 2.3 Enbridge shall give the Board's designated representative and the Chair of the OPCC ten days written notice in advance of the commencement of the construction.
- 2.4 Enbridge shall furnish the Board's designated representative with all reasonable assistance for ascertaining whether the work is being or has been performed in accordance with the Board's Order.
- 2.5 Enbridge shall file with the Board's designated representative notice of the date on which the installed pipelines were tested, within one month after the final test date.
- 2.6 Enbridge shall furnish the Board's designated representative with five copies of written confirmation of the completion of construction. A copy of the confirmation shall be provided to the Chair of the OPCC.

3 Monitoring and Reporting Requirements

- 3.1 Both during and after construction, Enbridge shall monitor the impacts of construction, and shall file four copies of both an interim and a final monitoring report with the Board. The interim monitoring report shall be filed within six months of the in-service date, and the final monitoring report shall be filed within fifteen months of the in-service date. Enbridge shall attach a log of all complaints that have been received to the interim and final monitoring reports. The log shall record the times of all complaints received, the substance of each complaint, the actions taken in response, and the reasons underlying such actions.
- 3.2 The interim monitoring report shall confirm Enbridge's adherence to Condition 1.1 and shall include a description of the impacts noted during construction and the actions taken or to be taken to prevent or mitigate the long-term effects of the impacts of construction. This report shall describe any outstanding concerns identified during construction.
- 3.3 The final monitoring report shall describe the condition of any rehabilitated land and the effectiveness of any mitigation measures undertaken. The results of the monitoring programs and analysis shall be included and recommendations made as appropriate. Any deficiency in compliance with any of the Conditions of Approval shall be explained.

4 Easement Agreements

4.1 Enbridge shall offer the form of agreement approved by the Board to each landowner, as may be required, along the route of the proposed work.

5 Other Approvals and Agreements

5.1 Enbridge shall obtain all other approvals, permits, licences, and certificates required to construct, operate and maintain the proposed project, shall provide a list thereof, and shall provide copies of all such written approvals, permits, licences, and certificates upon the Board's request.

5.2 Enbridge shall not, without prior approval of the Board, consent to any alteration or amendment to the Gas Delivery Agreement dated and executed on August 15, 2007, where such alteration or amendment has or may have any material impact on Enbridge's ratepayers.

5.3 Enbridge shall file with the Board, a copy of Thorold Cogen L.P.'s irrevocable bank letter of credit to Enbridge for an amount not less than cost estimate of the applied-for facilities; this filing shall take place not later than 14 days after the start of construction.

RESPONSE

Enbridge Gas Distribution has reviewed the Conditions of Approval and does not have any concerns or comments. All conditions as set out by the Ontario Energy Board will be adhered to by the Company.