

**Ontario Energy  
Board**  
P.O. Box 2319  
27th Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Telephone: 416- 481-1967  
Facsimile: 416- 440-7656  
Toll free: 1-888-632-6273

**Commission de l'énergie  
de l'Ontario**  
C.P. 2319  
27e étage  
2300, rue Yonge  
Toronto ON M4P 1E4  
Téléphone: 416- 481-1967  
Télécopieur: 416- 440-7656  
Numéro sans frais: 1-888-632-6273



**BY E-MAIL**

January 15, 2024

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas)  
Panhandle Regional Expansion Project – Early Access  
OEB File Number: EB-2022-0285**

OEB staff filed interrogatories in the above proceeding on August 24, 2023. Please find attached revised OEB staff interrogatories which include a minor change to Staff.1. Staff.1 has been updated to reflect the new date Enbridge Gas requires early access approval from the OEB (October 1, 2023 to April 1, 2024).

Enbridge Gas is reminded that its responses to interrogatories are due by January 26, 2024.

Yours truly,

Zora Crnojacki  
Senior Advisor, Natural Gas Applications

Encl.

**OEB Staff Interrogatories  
Enbridge Gas Inc.  
EB-2022-0285**

Please note, Enbridge Gas is responsible for ensuring that all documents it files with the OEB, including responses to OEB staff interrogatories and any other supporting documentation, 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*.

**Staff.1**

**Ref:** Exhibit A, Tab 2, Schedule 1, pages 2-3, paragraph 4-5  
Exhibit B, Tab 1, Schedule 1, pages 6-7, paragraph 17

**Preamble:**

Enbridge Gas requires early access rights to enter three properties to conduct environmental and engineering surveys and examinations. The purpose of these activities is to gather information needed for fixing the Project site and acquiring the approvals and permits associated with fixing the site. Enbridge Gas requested an OEB order to allow early access to these properties by April 1, 2024.

Enbridge Gas determined that the landowner of the three properties is a single individual (Landowner). This individual is a president of two companies owning two of three properties and is directly the owner of the third property.

**Questions:**

- a) Please discuss the consequences on permitting and approvals, construction schedule and in-service date of the Panhandle Project if the early access to the three properties is not available by April 1, 2024.
- b) What is the Enbridge Gas's plan to address potential delays in obtaining early access to these three properties?

**Staff.2**

**Ref:** Exhibit B, Tab 1, Schedule 1, pages 5-6, paragraphs 14 and 15

**Preamble:**

Enbridge Gas has acquired the land rights for 53 properties along the proposed pipeline route representing 95% of the total land rights required for the Panhandle Project. Enbridge Gas secured early access to 53 properties, through the execution of Permission, Consent and Access Agreements (Early Access Agreement), with all landowners along the proposed pipeline route with exception of the Landowner of the three properties that are the subject of this application.

**Question:**

Please confirm that Enbridge Gas has offered to the Landowner of the three affected properties the same form of the Early Access Agreement it has offered to all other landowners along the proposed route of the Project.

**Staff.3**

**Ref:** Exhibit B, Tab 1, Schedule 1, Attachment 3, pages 1-3

**Preamble:**

The Property Sketch submitted with the application shows the locations of temporary land use requirements, the existing pipelines and proposed tie-in station.

**Questions:**

- a) Please describe the timing and the nature of the early access site fixing activities related to the pipeline facilities to be located on the affected properties.
- b) Please describe the timing and the nature of the early access site fixing activities related to the proposed tie-in station to be located on the affected properties.
- c) What is the status of Enbridge Gas permanent land rights required for the proposed tie-in station?

**Staff.4**

**Ref:** Exhibit B, Tab 1, Schedule 1, page 6, paragraph 16 and page 7, paragraph 18

**Preamble:**

Enbridge Gas had two meetings with the Landowner of the three properties on April 12, 2022 and on July 29, 2022. On November 18, 2022, Enbridge Gas presented to the Landowner an offer of financial compensation for the early access activities as well as compensation for land rights for the purposes of the Project. There was no response from the Landowner to the date of application filing (June 16, 2023).

**Question:**

Since filing of the application on June 16, 2023, was there any initiative by either Enbridge Gas or the Landowner to further negotiate the agreement for early access rights on the three properties? Please provide any update on the outcomes of communication.

**Staff.5**

**Ref:** Exhibit B, Tab 1, Schedule 1, page 10, paragraph 23  
Attachment 4, pages 1-4 Panhandle Regional Expansion Project, Section 98 Order Granting Early Access to Land, Conditions of Approval

**Preamble:**

Enbridge Gas proposed, as part of the evidence, the conditions of approval of the early access application. The proposed conditions set out the boundaries and size of the areas of land to be affected, describe the permitted activities, set a one-year term for the OEB order permitting access to land, specify the timing and the means of notification to the landowners, set the conditions of conduct for the permitted activities and the protocol for Enbridge Gas's communication with the OEB.

**Question:**

Was there any discussion or communication with the Landowner on the proposed conditions of approval? If so, please discuss and describe the issues raised by the Landowner and the outcomes of the discussions.