

Ms. Nancy Marconi  
Registrar  
Ontario Energy Board  
P.O. Box 2319, 27th Floor  
2300 Yonge Street  
Toronto, ON M4P 1E4

January 18, 2024

**EB-2023-0201 – Eganville Community Expansion Project Leave to Construct  
Pollution Probe Letter regarding Technical Conference and ED Evidence Proposal**

Dear Ms. Marconi:

The OEB requested comments from stakeholders on the next steps for the above-noted proceeding. Pollution Probe is also in receipt of the letters from Environmental Defence (ED) and Enbridge and OEB Staff pertaining to ED's request to file evidence in this proceeding. Below are Pollution Probe's comments related to both topics.

In Pollution Probe's view it is appropriate and prudent for the OEB to consider all relevant and current information at this point of the proceeding when determining the next procedural steps. Consistent with previous practice for this type of proceeding, the OEB specifically solicited stakeholder input following the Interrogatory phase and as enabled through Procedural Order No. 1.

Technical Conference

The recent correspondence from ED and Enbridge highlight the question of whether there is sufficient credible, objective and available information on the public record to properly assess Enbridge's request for Leave to Construct approval. Significant challenges and issues remain in relation to core areas of the application. The OEB's recent Phase 1 Decision (EB-2022-0200) also reiterated challenges related to issues relevant to this project. For example, the lack of objective energy option information and modern alternatives to prospective natural gas customers in the existing communications, public open house and attachment survey. It seems challenging to proceed without the credible information to help resolve the issues when there is a clear path that has been put forward to achieve that goal. As outlined below, some of these information gaps (e.g. survey) could be bridged through proceeding with the ED evidence proposal, plus use of a short Technical Conference and/or Oral Hearing component. Pollution Probe supports the combination of these tools which would provide the best available objective and credible information to the OEB, reduce project risks and ensure an open, credible and transparent process.

Environmental Defence Evidence Proposal

ED's evidence proposal relates directly to issues in scope for this proceeding such as project economics, attachment forecast and customer alternatives. In Pollution Probe's view there is insufficient information in Enbridge's evidence to objectively indicate to the OEB what the energy and equipment choices will be made by consumers and businesses in this community over the project horizon. These concerns were recently reiterated by the OEB in its EB-2022-0200 Phase 1 Decision.

Over-estimation of the natural gas penetration estimate in comparison to relevant modern consumer choices would provide an inaccurate analysis for purposes of the required OEB EBO 188 assessment and would result in increased rate payer risks related to project economics and stranded assets. The most prudent time to consider best available information is during the Leave to Construct proceeding, since after a project is commissioned, it is not possible to turn back the clock on capital expenditures. Enbridge recently indicated that it does not believe that is Enbridge's role (as the monopoly gas utility) to consider non-gas options<sup>1</sup>, but Ontario consumers certainly do.

Pollution Probe requests that the OEB allow ED to commission and file the evidence it has proposed, which would help mitigate information gaps and related risks in this proceeding. The choices of consumers is not retrospective, but prospective based on current, objective and unbiased information related to current energy alternatives. An objective survey based on that information is an essential element to validate real demand for the proposed project.

Respectfully submitted on behalf of Pollution Probe.



---

Michael Brophy, P.Eng., M.Eng., MBA  
Michael Brophy Consulting Inc.  
Consultant to Pollution Probe  
Phone: 647-330-1217  
Email: [Michael.brophy@rogers.com](mailto:Michael.brophy@rogers.com)

Cc: Eric VanRuymbeke, Enbridge Regulatory (via email)  
Guri Pannu, Enbridge Legal (via email)  
All Parties (via email)  
Richard Carlson, Pollution Probe (via email)

---

<sup>1</sup> EB-2022-0249 EGI ReplyARG\_HV-MBQ-Selwyn\_20230823 Paragraph 31.