

VIA E-MAIL & RESS

June 25, 2024

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

**RE: EB-2022-0111– City of Kawartha Lakes incl. Bobcaygeon
FRPO Reply to EGI Response to our Notice of Motion**

We are writing on behalf of FRPO to correct a mischaracterization and the inappropriate embellishments made by Enbridge Gas Inc. (EGI) in responding to our Notice of Motion (Notice). These contentions serve to confuse the matters that we are, respectfully, trying to make clear for the Board.

In its reply, EGI contends:¹

*The grounds for the FRPO Motion are that (i) the OEB erred in stating that the Reinforcement Pipeline is part of minimum requirements and disregarding certain calculations filed by FRPO in final submissions, and (ii) there was no evidence in the **proceeding** regarding customer demands, peak gas flow rates or system capacity analysis, and the OEB in FRPO's view acted in a procedurally unfair manner in not allowing additional discovery on the Reinforcement Pipeline. **Emphasis added***

The highlighted statement is inaccurate and portrays our submitted grounds inappropriately.

EGI Has Mischaracterized Our Grounds for Motion

A simple read of paragraph 11 of our Notice² provides that our concern “*regarding customer demands, peak gas flow rates or system capacity analysis*” was stated in the context of the **application** not the **proceeding**. In support of its assertion, EGI goes on to provide three examples of its interrogatory responses where portions of this information can be found. EGI's approach is disingenuous as EGI is well aware of the concerns of FRPO regarding the lack of information regarding customer demands, flow rates and system capacity analysis as we wrote the Board to express those concerns a few weeks after the application was re-filed and before interrogatories.

In referencing the stipulations in Board's Facilities Handbook, we wrote:³

¹ EGI_Ltr_FRPO_ED_Motion_20240618_eSigned

² FRPO_MOTION_EGI LTC BOBCAYGEON_20240527

³ FRPO_REQ EGI COMPLETE EVID_KAWARTHA_20230703

These stipulations included the network analysis and examination of alternatives which would provide understanding of the design criteria, initial and ultimate capacity and assessment of alternative pipe sizing. A comparison with the subject application with these filing requirements reveals significant omissions in these data.

EGI is aware that by omitting data regarding peak flow rates that are needed for capacity analysis, technical reviewers cannot consider the appropriateness of the system design. There is no way to perform the mathematical calculations without the hourly demand required to size the facilities appropriately. While that data can be obtained through interrogatories, which we and others did, without a technical conference, parties cannot reconcile the company's asserted need with publicly available, tried and tested mathematical calculations.

These mathematical calculations which show that the Reinforcement is not needed are the basis for our concerns about the asserted need for the Reinforcement pipeline. We had requested and expected a technical conference given our and other parties' concerns. The denial of that crucial step meant that the only opportunity to put these data-based, mathematical calculations on the record was in our submissions. EGI has yet to disagree nor contest the validity of these calculations. We thought EGI's avoidance of addressing the math ought to concern the Board as these facts have not been reconciled with EGI's asserted need for the Reinforcement piping, especially the need as a minimum requirement.

Conclusion

FRPO has petitioned the Board many times in this proceeding requesting the opportunity to assist the Board with our ability to test the technical aspects of EGI's application. We were reluctant to submit the motion - the only such motion in our 16 years of assisting the Board. However, given our knowledge that Reinforcement piping is NOT a minimum requirement in the first few years, we respectfully submitted the motion while offering a path, in the alternative, to allow servicing the community using only the Supply pipe. This approach would provide the time required to reconcile EGI's asserted requirements with evidence and data – something EGI has avoided. We urge the Board to take that path in the public interest.

Respectfully Submitted on Behalf of FRPO,

Dwayne R. Quinn
Principal
DR QUINN & ASSOCIATES LTD.

c. H. Ginis, EGIREgulatoryProceedings – EGI, J. Fernandes, J. Sidlofsky – Staff,
Interested Parties