



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

December 17, 2024

**EB-2024-0200 St. Laurent Project Leave to Construct**  
**Pollution Probe – Oral Hearing Comments**

Dear Ms. Marconi:

Pollution Probe is in receipt of Procedural Order (PO) No. 5 dated December 16, 2024. This PO outlined details of requests for an oral hearing component made previously and also provided an additional opportunity for parties to make supplementary submissions by December 18, 2024, plus an additional opportunity for Enbridge to respond to previous and new requests by December 20, 2024. Procedurally it has been open for many months to all parties including Enbridge to make submissions at any time and this is typical practice unless otherwise set out by the OEB. It is unclear if the OEB has already considered the requests made previously or is just providing a final chance for opinions that may differ from what has already been submitted to the OEB. This appears to be the case given the unusually tight timeline for submissions. Pollution Probe also notes that essentially all the parties to this proceeding are currently in an oral hearing for Enbridge's Rebasing Phase 2 (EB-2024-0111) which is scheduled to complete end of day Thursday December 19, 2024. This poses a timing difficulty compared to the December 18<sup>th</sup> deadline.

It is logical that parties that support approval of the replacement project proposed by Enbridge will not want further exploration of the evidence, including appearances by the experts which did not appear at any of the Technical Conferences and/or did not answer interrogatories directly (i.e. responses were provided by Enbridge rather than the consultants that created the evidence). The oral hearing component was correctly an important element for the same project proposal in EB-2020-0293 and it is unclear why a full and transparent project review is less important now that the project has been refiled. The project is even larger in scope and costs than the original application that was denied by the OEB.

Pollution Probe notes that there is a large body of evidence on the record that indicates that an alternative to Enbridge's preferred full replacement is more cost-effective and prudent.

However, given the importance and significance of this project, ensuring that a complete record is available to support the OEB's review and deliberations. Leaving important gaps in the record has the potential to open potential doubts or challenges in the future regardless of what the OEB's decision is in this proceeding. Enabling those gaps to be closed (including those noted by Pollution Probe in our earlier correspondence) can be accommodated through an oral hearing component as is typically done for Leave to Construct projects of this significance and what was done previously for the same project in EB-2020-0293. Pollution Probe supports that approach in this proceeding.

Respectfully submitted on behalf of Pollution Probe.

A handwritten signature in black ink, appearing to read "Mike Brophy", is written over a horizontal line.

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