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BY EMAIL

December 18, 2024

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

Dear Ms. Marconi:

**Re: Enbridge Gas Inc.
Application for Approval to Renew its Franchise Agreement with the County of
Simcoe
OEB File Number: EB-2024-0280**

In accordance with Procedural Order No. 1, please find attached Ontario Energy Board (OEB) staff's interrogatories in the above proceeding. The applicant and intervenor have been copied on this filing. Enbridge Gas's responses to interrogatories are due by January 16, 2024.

OEB staff respectfully submits that, given the intervenor's status as a signatory to the franchise agreement, it should also be provided with an opportunity to file evidence (should it wish to do so) in support of its written submission (should it intend to file one). OEB staff notes that this procedural step was not included in Procedural Order No. 1. In this regard, OEB staff kindly asks the County of Simcoe to advise whether or not it intends to file evidence on the record of this proceeding. OEB staff notes that, if the OEB were to accept any such request by the County to file evidence, a further Procedural Order with revised steps (including an opportunity for parties to ask interrogatories on the County's evidence) may need to be issued.

Any questions relating to this letter should be directed to Natalya Plummer at natalya.plummer@oeb.ca or at 416-440-7654. The OEB's toll-free number is 1-888-632-6273.

Yours truly,

Natalya Plummer
Advisor

Encl.

**OEB Staff Interrogatories
Enbridge Gas Inc.
EB-2024-0280**

Please note, Enbridge Gas Inc. 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*.

OEB STAFF - 1

Reference: Application, page 1, para 4

Preamble:

Enbridge Gas has two existing franchise agreements in place with the County of Simcoe that it seeks to replace with a single franchise agreement. The agreement with the former Enbridge Gas Distribution Inc. was effective August 26, 2003, and thus expired on August 26, 2023. The agreement with the former Union Gas Limited took effect February 28, 2008 and does not expire until February 28, 2028.

Question(s):

- a) Please discuss if there are material differences between the August 26, 2003 agreement and the February 28, 2008 agreement, or other reason(s), that necessitated an application for renewal of the gas franchise with the County of Simcoe at this time.

OEB STAFF - 2

Reference: Application, page 4, para 20

Preamble:

Section 10(5) of the *Municipal Franchises Act, R.S.O. 1990, c. M.55* provides as follows:

An order of the Board heretofore or hereafter made under subsection (2) renewing or extending the term of the right or an order of the Board under subsection (4) shall be deemed to be a valid by-law of the municipality concerned assented to by the municipal electors for the purposes of this Act and of section 58 of the Public Utilities Act. R.S.O. 1990, c. M.55, s. 10 (5).

Question(s):

- a) Please advise why Enbridge Gas is seeking an order under s. 9(4) of the *Municipal Franchises Act* given that an order of the OEB made under section 10 thereof renewing or extending the term of the right shall be deemed to be a valid by-law of the municipality concerned assented to by the municipal electors for the purposes of the Act.

OEB STAFF - 3

Reference: Application, page 2, para 8

Preamble:

The County of Simcoe seeks an amendment to terms and conditions in Section 11 of the Model Franchise Agreement such that the County of Simcoe would not be responsible to share the cost of relocating gas lines if the property is no longer available.

The County of Simcoe also seeks amendments to the terms and conditions of section 12 of the Model Franchise Agreement such that the relocation of a pipeline is 60 days from the notice date and for a clause to compensate the road authority for loss and expense if a utility does not relocate infrastructure by the date specified in the notice given.

Question(s):

- a) Please discuss whether the County of Simcoe has provided a definition of what classifies a property as no longer being available. If so, please discuss whether Enbridge Gas agrees with this property classification and applying cost provisions that differ from the cost sharing conditions under section 12 of the Model Franchise Agreement.
- b) Please discuss how often there is an occurrence where a pipeline needs to be relocated. Please also discuss if there has been a need to relocate pipelines in the County of Simcoe more often than what would be considered average in other Counties or municipalities in Ontario.
- c) Please comment on the general timeframe required to relocate a pipeline and whether 60 days is adequate.
- d) Please explain how Enbridge Gas typically manages the interaction of natural gas infrastructure and underground assets and whether there is a local "Utility

Co-ordinating Committee” or similar group or body in the County of Simcoe or its lower tier municipalities whereby the owners and operators of underground assets and unique linear property assemble to discuss common issues in the County of Simcoe or its lower tier municipalities.

- e) Please discuss whether any of the County of Simcoe’s and Enbridge Gas’s relocation requests have been denied. If so, please provide the reasons that the relocation request was denied, and any alternative solutions that were used.

OEB STAFF - 4

Reference: Application, page 2, para 8

Preamble:

The County of Simcoe seeks revisions to section 15(b) of the Model Franchise Agreement.

- a) Please discuss what the general costs are of removing a pipeline in contrast to leaving the pipeline in the ground (including in respect of removing decommissioned systems within a road right-of-way).
- b) Please discuss what the procedure is for determining whether a pipeline needs to be removed and how risks are identified in leaving a pipeline in the ground. Please also discuss how factors such as age, location, pipeline conditions and environmental impact factor into the decision-making process.
- c) Please explain whether there are opportunities to repurpose a pipeline for different uses.

OEB STAFF-5

Reference: Application, Schedule A

Preamble:

Attached as Schedule A to the application is Enbridge Gas’s customer density (i.e. heat) map of the County of Simcoe.

Question(s):

- a) Please provide an updated heat map that shows the boundaries of the County of Simcoe bolded in a prominent color as Enbridge has done in prior applications.