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February 13, 2025

VIA EMAIL and RESS

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas or the Company)
Ontario Energy Board (OEB) File: EB-2023-0343
East Gwillimbury Community Expansion Project
Reply Submissions**

In accordance with Procedural Order No. 4, please find attached Enbridge Gas's Reply Submissions in the above-noted proceeding.

Sincerely,

Eric VanRuymbeke

Eric VanRuymbeke
Sr. Advisor - Leave to Construct Applications

c.c Henry Ren (Enbridge Gas Counsel)
Arturo Lau (OEB staff)
James Sidlofsky (OEB Counsel)
EB-2023-0343 Intervenors

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B; and in particular sections 90(1) and 97 thereof;

AND IN THE MATTER OF the *Municipal Franchises Act*, R.S.O. 1990, c.M.55, as amended;

AND IN THE MATTER OF an Application by Enbridge Gas Inc. for an order granting leave to construct natural gas distribution pipelines and ancillary facilities that make up a Community Expansion Project to provide access to natural gas within the Town of East Gwillimbury.

AND IN THE MATTER OF an Application by Enbridge Gas Inc. for an Order cancelling and superseding the existing Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. for the former Township of East Gwillimbury and replacing it with a new Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Town of East Gwillimbury;

AND IN THE MATTER OF an Application by Enbridge Gas Inc. for an Order cancelling and superseding the existing Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. for the Township of King and replacing it with a new Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Township of King.

ENBRIDGE GAS INC.

REPLY SUBMISSION

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Attachment 1: Indigenous Consultation Log (Oct. 8, 2024 to Feb 10, 2025)

A. Introduction

1. These are the Reply submissions of Enbridge Gas Inc. (Enbridge Gas or the Company) in respect of its application to the Ontario Energy Board (OEB) under section 90 of the *Ontario Energy Board Act, 1998* (OEB Act) for an order granting leave to construct the East Gwillimbury Community Expansion Project, EB-2023-0343 (the Project). Enbridge Gas has also applied to the OEB under section 97 of the OEB Act for approval of the form of land-use agreements it offers to landowners for the routing and construction of the Project.
2. In the application, Enbridge Gas also requests that the OEB make the following orders pursuant to section 8 of the *Municipal Franchises Act*:
 - an Order cancelling and superseding the existing Certificate of Public Convenience and Necessity (CPCN) held by Enbridge Gas for the former Township of East Gwillimbury and replacing it with a new CPCN to construct works to supply natural gas in the Town of East Gwillimbury that addresses both the municipal name change and the change in municipal boundaries; and
 - an Order cancelling and superseding the existing CPCN held by Enbridge Gas for the Township of King and replacing it with a new CPCN to construct works to supply natural gas in the Township of King that addresses the municipal boundary changes that have occurred.
3. The Project is in the public interest and the requested leave to construct should be granted. The Project is required to support the Government of Ontario's Natural Gas Expansion Program (NGEP) and is designed to expand access to safe, reliable, and affordable natural gas to areas of Ontario that do not currently have access to natural gas. The need for the Project is directly supported by the community's municipal government through their request for natural gas for their

constituents. The Town of East Gwillimbury has emphasized their support for the Project through letters of support, dated June 4, 2020 and November 15, 2023, respectively.¹ Core to the need for the Project is the clearly expressed preference for and interest in natural gas service from future customers within the community in question. In this regard, OEB staff support the granting of leave to construct for the Project.

4. Environmental Defence (ED) and Pollution Probe (PP) submissions challenging the Company's attachment forecast for the Project, together with their request that the OEB deny the Application or impose conditions of financial responsibility and survey information requirements, should be rejected by the OEB. The OEB should reject the submissions of ED and PP primarily because the premise on which they rely is ill-conceived and, if accepted, requires the OEB to adopt an abstract over-simplification of energy conversion. By presuming that electric heat pumps are financially and technically superior to natural gas service in each and all customer circumstances, ED and PP's biased premise is neither representative of the actual energy choices or energy preferences customers made or expressed in response to Enbridge Gas's attachment surveys nor reflective of the actual energy conversion costs dependent on physical parameters and limitations of their specific homes or businesses in the Project area.
5. It is important to note that the submissions filed by ED and PP in opposition to the Project are, at their core, fundamentally similar to one another and largely mirror their respective submissions for previous NGEP project applications (which were approved by the OEB).² These similarities appear to arise from ED and PP's shared goal of opposing natural gas in favour of electrification. ED and PP's similar interventions in this and other NGEP project proceedings are indicative of broader inefficiencies in the regulatory process that allow multiple

¹ Exhibit B-1-1, Attachments 2 and 3.

² See EB-2022-0111, EB-2022-0156, EB-2022-0248, EB-2022-0249, EB-2023-0200, EB-2023-0201 and EB-2023-0261.

parties to pursue the same or substantially overlapping interests and positions, rather than consolidating their interventions to avoid duplication. ED and PP's interventions in this and previous NGEF project proceedings have burdened the regulatory process with repetitive and similar interrogatories/submissions that offer minimal additional value or unique perspective.

6. Enbridge Gas will have more to say in cost award submissions. For the purpose of assessing ED and PP's arguments, we urge the OEB to keep in mind the interests and strategies being pursued by both organizations. As environmental advocacy organizations, both ED and PP continue to oppose NGEF project applications almost entirely on the stated grounds of ratepayer financial interests. They assert that the Project's actual Profitability Index (PI) will be less than 1.0 due to unreliable customer attachment forecasts, meaning the Project's revenues will not be sufficient to cover its costs, and that ratepayers could be required to fund the deficit. However, neither organization has the representation of ratepayer financial interests as a main objective.³ Nor do they purport to advocate for ratepayer financial interests unless the context aligns with their objective of opposing natural gas projects. For example, while ED and PP are aligned in expressing concerns related to ratepayer financial interests when it relates to natural gas projects, they also appear to be aligned in ignoring entirely the same issue when it relates to electrification. As a result, their submissions are not genuinely grounded in protecting ratepayer financial interests but rather serve as a tool to advance their goal of opposing natural gas in favour of electrification (which, in many instances, can be at odds with ratepayer financial interests). It is important to recognize the flaws in this approach taken by ED and PP, as true ratepayer interest advocacy is not selectively and opportunistically applied only when it aligns with an intervenor's broader agenda.
7. Enbridge Gas also notes that ED has made many of the same submissions that it made in the projects known as Bobcaygeon (EB-2022-0111), Sandford (EB-

³ EB-2024-0193, OEB Procedural Order No. 1, pp. 2-3.

2023-0200), Eganville (EB-2023-0201) and Neustadt (EB-2023-0261) (collectively referred to as the “2024 NGEF Proceedings”). ED’s appended submissions⁴ have been addressed by Enbridge Gas’s detailed reply submissions in each of the 2024 NGEF Proceedings.⁵ On the same basis as expressed by the OEB in granting leave to construct in each of the 2024 NGEF Proceedings, ED’s submissions should be rejected.

8. The detailed Reply follows, below. Enbridge Gas’s silence on any particular item raised by the intervenors does not signify agreement.

B. Project Costs and Economics

9. The submissions of ED and PP focus primarily on project cost and economics. They both argue that the Company’s attachment forecast for the Project is unreliable because, in their view, the customer connection survey was flawed and because of government financial incentives to install electric heat pumps.⁶

Cost Comparison of Electric Heat Pumps

10. The positions of ED and PP are premised on the incorrect notion that electric heat pumps are more cost effective than natural gas service in every and all customer circumstances both technically and financially and that any assertion to the contrary is an expression of bias and not fact. The OEB should reject the submissions of ED and PP since the premise on which they rely is ill-conceived and, if accepted, requires the OEB to adopt an abstract over-simplification of energy conversion. This premise is neither representative of the actual energy choices or energy preferences customers made or expressed in response to Enbridge Gas’s attachment surveys, nor is it reflective of the actual energy

⁴ ED submissions, Appendix A.

⁵ EB-2022-0111, Reply Submission (April 8, 2024) ([Link](#)); EB-2023-0200, Reply Submission (April 16, 2024) ([Link](#)); EB-2023-0201, Reply Submission (April 24, 2024) ([Link](#)); EB-2023-0261, Reply Submissions (April 19, 2024) ([Link](#)).

⁶ ED submissions, pp. 5-6 and Appendix A, pp. 6-7; PP submissions, pp. 13-14.

conversion costs dependent on physical parameters and limitations of their specific homes or businesses in the Project area.

11. In any event, while ED and PP would prefer that the focus of the Application be the adjudication of the economics of electric heat pumps relative to natural gas, Enbridge Gas submits that the OEB is not required in exercising its discretion in the public interest to make a decision on the relative merits of electric heat pumps to natural gas. This is because in the Application Enbridge Gas has provided an attachment forecast⁷ based upon (i) consultation with the community and its representative municipal government, (ii) survey results that represent the energy interests expressed by actual residents and business-owners within the Project area, which intrinsically incorporates all factors including financial and non-financial considerations, and (iii) an adjustment for the number of services that may not occur due to the increased Extra Length Charge (ELC).⁸
12. As stated by the OEB previously, the decision of individual consumers to opt for natural gas service is based on “all relevant factors including financial and non-financial considerations relevant to their geographic location, heating need, housing and electrical standard.”⁹ This remains the case in the current Application.¹⁰ As found by the OEB, notwithstanding the potential benefits that electric heat pumps may afford to customers in general, the best evidence that addresses those factors for the Project is provided by the willingness of potential customers to obtain natural gas service demonstrated by the market surveys submitted.¹¹

⁷ Exhibit B-1-1, p. 7, Table 2; Exhibit I.STAFF-11.

⁸ Exhibit B-1-1, pp.3-4, 7; Exhibit I.STAFF-3; Exhibit I.STAFF-10; Exhibit I.STAFF-11; Exhibit I.ED-6.

⁹ EB-2022-0249, Decision and Order (September 21, 2023), p. 19; EB-2022-0248, Decision and Order (September 21, 2023), p. 20; EB-2022-0156, Decision and Order (September 21, 2023), p. 20.

¹⁰ OEB Decision and Procedural Order No. 4 (January 13, 2025), p 11.

¹¹ EB-2022-0249, Decision and Order (September 21, 2023), p. 19; EB-2022-0248, Decision and Order (September 21, 2023), p. 20; EB-2022-0156, Decision and Order (September 21, 2023), p. 20.

13. ED and PP assert that the evidence is insufficient to support the customer attachment forecasts because they reason that the customer surveys do not adequately inform potential customers of the advantages of electric heat pumps and Enbridge Gas's electric heat pump related analysis is biased.
14. However, in making its assertions, ED selectively references specific cost comparisons included in Enbridge Gas's analyses to justify its position regarding the cost effectiveness of electric heat pumps and has misconstrued the scope and nature of the analyses in question. In fact, the analyses clearly point out the over-simplification of ED's electric heat pump premise.
15. The analyses referenced by ED were produced in response to interrogatory Exhibit I.ED-28, consisting of the analysis and model created by Guidehouse Inc. (Guidehouse) and the further analysis provided by Enbridge Gas.¹²
16. To understand the over-simplification that ED and PP have undertaken, it is important to consider the scope, nature and intent of the Guidehouse and Enbridge Gas analyses. While Enbridge Gas has addressed in detail similar faulty assertions from ED with respect to said analyses in prior NGEP proceedings, it is worth reiterating, given ED continues to repeat its misleading characterization of the analyses.
17. Unrelated to the Application, Enbridge Gas in Q1 2023 engaged Guidehouse to provide an assessment of the annual operating costs of high-efficiency electric cold climate air source heat pumps within four Ontario climates (Windsor, Toronto, Ottawa, and Thunder Bay) at three peak winter design loads (2.5 tons, 4 tons, and 5 tons). It is important to note that the scope of the Guidehouse model consisted of an assessment of operating costs only and did not include an assessment of upfront capital costs which is required to conduct a customer lifetime cost-effectiveness analysis of converting a home to an electric heat pump

¹² ED submissions, p. 5.

configuration.¹³ To reflect not just operating costs, but total cost inclusive of installation costs, Enbridge Gas requested low-end and high-end upfront cost estimates from HVAC contractors for conversions to both electric heat pump configurations and natural gas furnace configurations.¹⁴

18. To provide ranges for the customer lifetime cost-effectiveness of converting a home to an electric heat pump configuration compared to a natural gas furnace configuration, Enbridge Gas combined the upfront cost information gathered from HVAC contractors with the operational cost information from the Guidehouse study. Twelve scenarios were assessed. The scenarios included three different electric heat pump configurations for Toronto and Ottawa and for the low-end and high-end upfront costs respectively.¹⁵
19. The assessment of the upfront costs required to convert a home to an electric heat pump configuration requires consideration of several factors that results in a more complex analysis than assessing the upfront costs required to convert a home to a natural gas furnace configuration. For example, in addition to the cost of the electric heat pump itself, a home could also require electrical panel upgrades, exterior service upgrades from the electric utility, internal wiring upgrades, and/or duct work improvements. There is a wide range of potential upfront costs depending on the existing configuration of the home itself. For this reason, the Company was not able to provide an average upfront cost, which would be required to develop an average customer lifetime cost-effectiveness analysis for conversions to electric heat pump configurations. Any attempt to do so would result in an over-simplification of the conversion costs and would not necessarily be representative of the actual conversion costs for specific homes or businesses in the Project area.¹⁶ As a result, depending on the circumstances, the conversion to an electric heat pump configuration could be more cost-

¹³ Exhibit I.ED-28, p. 3.

¹⁴ Ibid, pp. 3-4.

¹⁵ Ibid, pp. 5-6.

¹⁶ Ibid, p. 3.

effective for space heating for some homeowners when compared to a conversion to a natural gas furnace configuration, whereas for other homeowners the natural gas solution would be more cost-effective.¹⁷

20. Furthermore, Enbridge Gas was clear that the results arising from its analysis were illustrative and that more refined research would be required to establish robust estimates/assumptions.¹⁸ It is important to also note that with respect to energy costs, the analysis made no assumptions regarding forward price curves and utility rates for either electricity or natural gas, including any assumptions related to the public policy risk associated with the federal carbon charge continuing as planned until at least 2030. The energy costs used in the analysis are a snapshot in time and thus may not be reflective of consumer expectations for long-term energy prices.¹⁹ It also does not include electricity price changes arising from energy transition, including those related to widespread electrification.
21. The Guidehouse and Enbridge Gas analyses were also before the OEB with respect to the Community Expansion decisions in Hidden Valley (EB-2022-0249), Selwyn (EB-2022-0156) and the Mohawks of the Bay of Quinte (EB-2022-0248) (the 2023 Decisions). As stated by the OEB:²⁰

The OEB also agrees with Enbridge Gas's submission that:

Policy changes, growing electricity costs to modernize and renew the grid and build out supply, technological change, and economic cycles could change the economic relationship between electric heat pumps and natural gas in the future.

22. The Guidehouse model and report were an independent exploration of the complex comparison between electric heat pumps and natural gas. The analyses (Guidehouse together with Enbridge Gas) are not needed to justify the

¹⁷ Ibid, p. 7.

¹⁸ Ibid, p. 3.

¹⁹ Ibid, p. 6.

²⁰ EB-2022-0249, Decision and Order (September 21, 2023), p. 19; EB-2022-0248, Decision and Order (September 21, 2023), p. 20; EB-2022-0156, Decision and Order (September 21, 2023), p. 20.

attachment forecast and the reflection of customer choice. The customer choices stand on their own through the Enbridge Gas attachment forecast which directly reflects the preferences of consumers based on a broad and thorough community engagement. Those expressed interests reflect consumers' preferences and energy decisions encompassing all relevant factors, including financial and non-financial considerations relevant to their geographic location, heating need, housing and electrical standard.

Market Surveys

23. ED also believes that the attachment surveys were biased because they did not set out the merits of electric heat pumps as ED perceives them to be.²¹ ED ignores that Enbridge Gas advised survey respondents that “[t]here are many alternatives to serve your energy needs” and provided survey respondents with a link to an NRCan website to “learn more about alternative technologies such as heat pumps.”²² Enbridge Gas submits that the surveys are appropriate and the survey results are a sound basis on which to establish the attachment forecasts. Moreover, the OEB expressed no concerns regarding Enbridge Gas’s surveys in its 2023 Decisions.
24. ED and PP reference the Settlement Proposal (approved by the OEB on November 29, 2024) in Enbridge Gas’s 2024 Rebasing Phase 2 proceeding. Specifically, they cite terms of the Settlement Proposal related to energy cost comparison to suggest that the information used by Enbridge Gas for the Project was inappropriate.²³ ED and PP ignore that the Settlement Proposal, which made no determination on the accuracy of the Company’s previous cost comparison information, was approved 17 months after the completion of the survey for the Project.²⁴ In any event, as noted above, the marketing information

²¹ ED submissions, pp. 5-6.

²² Exhibit I.PP-8, Attachment 1, p. 2.

²³ ED submissions, p. 6; PP submissions, p. 8.

²⁴ Exhibit B-1-1, Attachment 4, p. 2: “The research was conducted between May 23 and June 23, 2023.”

for the Project appropriately pointed out the existence of and information sources for alternative technologies such as heat pumps.

25. Results from the Forum Research survey indicate that the split between energy sources for residents in East Gwillimbury is currently approximately 44% propane, 31% oil, 7% electricity, 4% wood and 14% air source or ground source heat pumps. Of those who responded to the survey, 76% indicated that they are likely (extremely likely, very likely or likely) to convert their space heating systems to natural gas if it were made available. Of those likely to convert, approximately 82% indicated that they would convert within 1 year of natural gas service becoming available, 16% indicated they would convert within 1-2 years of natural gas service becoming available, and the remaining 3% would convert in 2 years or more of natural gas service becoming available.²⁵
26. PP asserted that the survey response rate and sample size were low and the results were not reliable.²⁶ This is unfounded. In fact, the response rate for the Project is similar to the average for Phase 2 communities surveyed to date,²⁷ yielding a +/- 6.2% margin of error at the 95% confidence level.²⁸ As a result, PP's submissions in this regard should be rejected by the OEB.
27. ED acknowledges that the fact "The connection forecast has been adjusted in the East Gwillimbury case with respect to the impact of Enbridge's higher extra-length charge ("ELC")" was a difference from the 2024 NGEF Proceedings.²⁹ However, ED takes issue with the adjustment being made *after* the survey. The OEB decision in the 2024 Rebasing Phase 1 proceeding,³⁰ which included approval for increasing the ELC to \$159 per metre beyond the first 20 m, was

²⁵ Exhibit B-1-1, p. 4.

²⁶ PP submissions, p. 14.

²⁷ Exhibit I.STAFF-2 part a).

²⁸ Exhibit B-1-1, Attachment 4, p. 2.

²⁹ ED submissions, p. 5.

³⁰ EB-2022-0200, Decision and Order (December 21, 2023), p. 50.

issued after the completion of the survey.³¹ In response to the increased ELC and potential impacts to forecasted customers in the Project area, Enbridge Gas reduced its customer forecast from the original application (filed November 28, 2023) by approximately 30%. This adjustment was appropriately supported by the Company's analysis of historical ELC cost data from a sample of residential attachments from 2022 and 2023 to conservatively determine an ELC threshold that would deter customers from switching to natural gas.³²

28. ED and PP also stated that Enbridge Gas did not conduct analysis on the possibility that customers who select natural gas would subsequently leave the natural gas system before the end of the 40-year revenue horizon.³³ This again is for the singular reason that ED and PP believe in the absolute cost-effectiveness of electric heat pumps now and into the future. However, this is a very narrow view that disregards the many variables and uncertainties that are at play as energy transition evolves. Policy changes, growing electricity costs to modernize and renew the grid and build out supply, technological change, and economic cycles could change the economic relationship between electric heat pumps and natural gas in the future. Furthermore, as agreed by OEB staff,³⁴ Enbridge Gas has used multiple methods to establish the ten-year forecast of customer attachments and has provided acceptable rationale for the reduction in the customer forecast. OEB staff notes that Enbridge Gas is committed to continue engaging in outreach activities to ensure forecasted customer attachments are realized.³⁵

Natural Gas Expansion Program

³¹ Exhibit B-1-1, Attachment 4, p. 2: "The research was conducted between May 23 and June 23, 2023."

³² Exhibit I.STAFF-10 part b).

³³ ED submissions, Appendix A, p.12; PP submissions, p. 13, 15.

³⁴ OEB staff submissions, p. 11.

³⁵ Ibid; Exhibit I.STAFF-3.

29. ED submits that the Project is inconsistent with NGEP and should not be approved in its current form, while PP asserts that the Project is not a typical community expansion and varies significantly from the NGEP application.³⁶ In response to ED and PP interrogatories regarding variances from the NGEP proposal,³⁷ Enbridge Gas referred ED and PP to the response at Exhibit I.STAFF-11, which explained the reasons for updates made to the total potential customers, customer forecast, pipe lengths and cost as between the NGEP proposal and the LTC application (including the original application filed November 2, 2023 and the updated application filed August 30, 2024). Notable reasons for the refinements include: further consideration of constructability and permitting complexities in the normal course; conflicts with highway extension plans; more accurate customer information in close proximity to existing assets; progression of cost estimates; and consideration of the increased ELC. Enbridge Gas believes the Project remains substantially consistent and similar with the original NGEP proposal as the intended areas of interest to the municipality are being serviced, taking into account the reasons for refinements mentioned above.³⁸ Furthermore, PP appears to ignore the response to its own interrogatory at Exhibit I.PP-2, which confirmed why the Project as a whole – being a community expansion project that has been identified to receive NGEP Phase 2 funding support – is appropriately bundled in a LTC application, rather than being treated as disparate non-LTC projects with individual infill customers as PP implies without evidentiary basis.
30. Enbridge Gas states within its pre-filed evidence³⁹ and throughout its interrogatory responses⁴⁰ that the Project is eligible to receive funding up to \$8,373,365. Consistent with that evidence, OEB staff and ED also note NGEP

³⁶ ED submissions, p. 3 and Appendix A, p. 3; PP submissions, p. 6, 13.

³⁷ Exhibit I.ED-13 part d); Exhibit I.PP-6 part b); Exhibit I.PP-18.

³⁸ Exhibit I.STAFF-11 part b) i).

³⁹ Exhibit E-1-1 p. 3, para. 8-9; Exhibit E-1-1, Attachment 1.

⁴⁰ Exhibit I.STAFF-11; Exhibit I.ED-15 part a); Exhibit I.D-16 part d); Exhibit I.ED-20 part b); Exhibit I.FRPO-10.

funding provided for the Project is approximately \$8.4 million.⁴¹ Furthermore, OEB staff submits that the Project, with the inclusion of NGEF funding and revenues associated with SES charges, is forecast to be economically feasible with a projected PI of 1.0.⁴² ED and PP's submission⁴³ calling into question the amount of NGEF funding available should be rejected by the OEB.

31. ED submits that a difference from the 2024 NGEF Proceedings is “the per-customer capital costs and subsidies for the East Gwillimbury project are higher than the average of the four recent projects”.⁴⁴ Enbridge Gas cautions against drawing conclusions regarding the Project using selective information from other projects. Specifically, ED selectively compares the capital costs and subsidies for the Project to the averages for the 2024 NGEF Proceedings and ignores its own submissions regarding similar comparisons for Hidden Valley (EB-2022-0249), Selwyn (EB-2022-0156) and the Mohawks of the Bay of Quinte (EB-2022-0248) (ED's 2023 Submissions).⁴⁵ Compared to the information presented in ED's 2023 Submissions, Enbridge Gas notes that the Project has a lower average capital cost per customer⁴⁶ and is only slightly above (by approximately \$165) the average subsidy per customer⁴⁷. Relative to the 2024 NGEF Proceedings, the Project is most comparable to the Eganville project, with East Gwillimbury requiring a lower subsidy per new customer than Eganville and similar average capital cost per new customer.⁴⁸ Enbridge Gas submits the cost and subsidies for the Project are appropriate and the OEB should not accept ED's submission in this regard.

⁴¹ OEB staff submissions, p. 14; ED submissions, p. 3 and p. 4, Table 2.

⁴² OEB staff submissions, p. 15.

⁴³ ED submissions, p.3; PP submissions, p. 5 ,13.

⁴⁴ ED submissions, p. 4.

⁴⁵ EB-2022-0156/0248/0249, ED submissions, p. 4, Table 1 and Table 2.

⁴⁶ Ibid, Table 1 “Average Capital Cost per Customer = \$50,427”.

⁴⁷ Ibid, Table 2 “Average Subsidy per New Customer = \$31, 673”.

⁴⁸ ED submissions, Appendix A, p. 4, Table 1 and Table 2.

C. Project Alternatives

32. Considering that the proposed Project was previously reviewed and approved by the Government of Ontario and the OEB for the purposes of granting funding under Phase 2 of the NGEF, Enbridge Gas did not assess other facility alternatives. No parties raised issues regarding Enbridge Gas's assessment of facility alternatives to the Project.
33. OEB staff submitted that as the Project is a NGEF community expansion project, no IRP evaluation is required. Therefore, OEB staff notes that Enbridge Gas is not required to consider alternatives to infrastructure facilities to meet the need. OEB staff also submitted that the proposed route is appropriate.⁴⁹ Furthermore, FRPO has tested and supports the pipe sizing proposed in the application.⁵⁰

D. Environmental Impacts

34. PP submits that Enbridge Gas should complete the Environmental Protection Plan (EPP) and file a copy with the OEB prior to commencing construction.⁵¹ Enbridge Gas's EPP will incorporate recommended mitigation measures contained within the Environmental Report (ER) and those stipulated by permitting agencies. The Standard Conditions of Approval require that "Enbridge Gas Inc. shall implement all the recommendations of the Environmental Report filed in the proceeding, and all the recommendations and directives identified by the Ontario Pipeline Coordinating Committee review." Enbridge Gas is producing an EPP to aid in informing field personnel of the environmental mitigation measures needing to be implemented and of the commitments it made that need to be followed during construction. The EPP functions as a living document, evolving throughout the construction of the Project as needed. Filing the EPP

⁴⁹ OEB staff submissions, p. 12.

⁵⁰ FRPO submissions, p. 3.

⁵¹ PP submissions, p. 21.

would not provide any additional useful information, and is not something the OEB typically requires to be filed – as such, PP 's request should be rejected.

35. PP submits that a “monitoring program should be offered to all owners of wells within 100 m of the proposed route.”⁵² Enbridge Gas confirms that it will offer water well monitoring to all applicable private wells, as determined by Stantec Consulting, approximately 6-8 weeks prior to the start of construction. The monitoring program may include pre-construction water quality monitoring as well as water level monitoring, if available. Should a private water well be affected by Project construction, a potable water supply should be provided, and the water well should be repaired or restored as required.⁵³
36. PP submits without evidence or evidentiary support that the impact assessment zone for wetlands used in the ER is less than that set out in the Provincial Policy Statement.⁵⁴ PP's submission is misleading, as the Provincial Planning Statement (previously the Provincial Policy Statement) does not have a guideline for wetland impact assessment, and does not consider 120 m as a general area for natural heritage considerations when moving through an approval process under the Planning Act. The ER's study area is based on the proposed Project footprint, it is not based on the features. The ER had a desktop study area of 125 m on each side from the centreline of the proposed routes, for a total of 250 m. The ER considered potential impacts to wetlands that are located within 30 m of the Project footprint (actual field study area) based on standard guidelines provided by local conservation authorities, and regulated areas associated with watercourses, wetlands, and hazard lands.

⁵² PP submissions, p. 21.

⁵³ Exhibit F-1-1, Attachment 1, Section 6.0, Table 10.

⁵⁴ PP submissions, p. 22.

E. Indigenous Consultation

37. On the issue of consultation with potentially affected Indigenous communities, Enbridge Gas explained that it was delegated the procedural aspects of consultation by the Ministry of Energy (ENERGY). In accordance with the OEB's Guidelines, an Indigenous Consultation Report (ICR) outlining consultation activities Enbridge Gas has conducted has been prepared, provided to ENERGY and filed with the OEB as part of the current Application.⁵⁵ In response to OEB staff's submissions requesting an updated ICR since October 8, 2024,⁵⁶ Enbridge Gas includes the updated ICR and the Company's responses to the comments of MSIFN and CLFN at Attachment 1.

38. In its submissions, OEB staff states that:⁵⁷

OEB staff submits that Enbridge Gas has made efforts to engage with the potentially affected Indigenous groups identified by the Ministry.

OEB staff supports the approval of Enbridge Gas's leave to construct application, subject (in part) to OEB staff's comments on Indigenous consultation.

39. Enbridge Gas has not yet received a letter from ENERGY confirming sufficiency of Indigenous consultation activities on the Project (i.e. a Letter of Opinion or Sufficiency Letter). Enbridge Gas has been in contact with ENERGY regarding its consultation activities for the Project and is not aware of any outstanding concerns from Indigenous communities or reasons why a Sufficiency Letter would not be issued by ENERGY in advance of a Decision and Order of the OEB on the current application. The Company has committed to maintaining ongoing engagement with these Indigenous communities throughout the life of the Project to ensure potential impacts on Aboriginal or treaty rights are addressed, as appropriate.

⁵⁵ Exhibit H-1-1, Attachment 8.

⁵⁶ OEB staff submissions, p. 21.

⁵⁷ Ibid.

40. OEB staff recommended that the OEB should wait to make a final decision on the application until the Letter of Opinion is received from ENERGY and that in case the Letter of Opinion is not received prior to record close, the OEB may consider placing the proceeding in abeyance until such time that the Letter of Opinion is filed. Enbridge Gas submits that placing the proceeding in abeyance is not necessary and instead suggests that Enbridge Gas would accept the OEB imposing the standard requirement to file the Letter of Opinion as a condition of approval for the Project, consistent with the OEB's determinations in past proceedings.⁵⁸

F. Conditions of Approval

41. ED has indicated that the OEB should implement "stronger decision wording" compared to the OEB's decisions it recently made in the 2024 NGEP Proceedings.⁵⁹ There is no need nor is there any supporting evidence to distinguish this Project in the manner suggested by ED. Like those projects, the Project is a community expansion project forming part of the Minister's expressed public interest through the NGEP. The principles that the OEB recently expressed in the 2024 NGEP Proceedings remain applicable to this Project; particularly those related to the consideration of the relative costs of electric heat pumps and the importance of customer surveys to reflect the decisions of customers based on all relevant factors including financial and non-financial considerations relevant to their geographic location, heating need, housing and electrical standard.
42. Both ED and PP seek a requirement from the OEB that Enbridge Gas agree upfront to assume all of the revenue forecast risk for the Project as a condition of approval.⁶⁰ The OEB should reject this proposal as it is premised on an incorrect

⁵⁸ EB-2017-0261 Scugog Island Community Expansion Project, Decision and Order (May 31, 2018), p. 9; EB-2020-0192 London Lines Replacement Project, Decision and Order (January 28, 2021), Schedule B.

⁵⁹ ED submissions, p. 6.

⁶⁰ ED submissions, p. 7; PP submissions, p. 7, 15.

perception as to the scope of a leave to construct application and a rebasing proceeding. In addition to contradicting the principle that the OEB panel cannot bind a future panel adjudicating a future Enbridge Gas application post-RSP,⁶¹ this proposal ignores the OEB's previous clear findings and rationale for why the OEB's approach is appropriate and ED's (and PP's) proposal is not. As stated by the OEB:⁶²

These were leave to construct applications, not rate applications. The scope of the two are different. While the original panel could have added conditions of approval or provided other directions on the post-RSP rate treatment, it chose not to do so. It did not make that choice on the basis of a misunderstanding of its jurisdiction; in fact, it specifically invited submissions on the rate treatment question. Rather, it exercised its discretion not to grant what Environmental Defence asked for.

Determining the rate treatment of any shortfalls in the next rebasing proceeding after the ten-year RSP will allow the OEB to consider the issue more broadly in the context of Enbridge Gas's entire franchise area with 3.8 million existing customers, not just the two communities with 217 forecast customers.

There are 28 projects that have been approved in Phase 2 of the NGEF. The OEB strives for procedural efficiency and regulatory consistency. It makes sense to consider questions about rate treatment for such projects on a consolidated basis in a rebasing hearing, rather than on a piecemeal basis in each leave to construct proceeding. In that rebasing hearing, all options will be open, as the original panel said.

43. ED asks the OEB to direct Enbridge Gas to include accurate information on the annual operating costs of electric heat pumps versus natural gas in any marketing materials that discuss operating cost savings from natural gas.⁶³ Similarly, PP argues that the LTC decision should include a requirement for Enbridge Gas to file a copy of the updated consumer information and related marketing materials under this docket (and provide a copy to all participants) prior to resuming community outreach for the community proposed to be served by this Project.⁶⁴ Enbridge Gas strongly objects to the various allegations that the Company engages in false marketing. In this and other proceedings, ED has

⁶¹ ED submissions, Appendix A, p. 14.

⁶² EB-2023-0313, Decision and Order (December 13, 2023), pp. 18-19.

⁶³ ED submissions, Appendix A, pp. 16-17.

⁶⁴ PP submissions, p. 9.

attempted to paint information it perceives to be less-than-favourable toward electric heat pumps as biased or false; but in reality, it is by no means clear for all customer circumstances whether gas or electricity may be a more cost-effective heating option. As noted above in relation to the topic of electric heat pump cost analyses, this depends on the underlying assumptions and specific requirements applicable to customers.

44. Enbridge Gas urges the OEB to reject the proposed conditions regarding the filing of marketing materials. Both ED and PP were party to the Rebasing Phase 2 Settlement Proposal, which requires the Company, in relation to the issue of energy comparison information, to exclude heating cost comparisons from marketing materials unless the comparison also includes electric cold climate heat pump,⁶⁵ and to file updated materials in Phase 3 of Rebasing or a subsequent proceeding. Given the scope of settlement on that issue, it is neither necessary nor regulatorily efficient to impose further conditions on Enbridge Gas in a NGEP project-specific LTC proceeding, on the heels of a recently approved settlement and before Enbridge Gas has even had a chance to file any updates with the OEB related to same.
45. In addition, by trying to shift the focus of NGEP proceedings to a debate over natural gas versus heat pumps, ED and PP appear to pay little attention the actual purpose of community expansion applications, which – as confirmed by the OEB in several recent decision – do not involve making a choice between natural gas and alternatives such as heat pumps (which the OEB says should primarily be a marketplace issue), and would not restrict customers in the relevant community from obtaining heat pumps either before or after it obtains natural gas service.⁶⁶ The same considerations directly underpinned the recent Procedural Order No. 4 in this proceeding to deny ED's (fourth iteration) proposal to file heat pump evidence and survey evidence. Similarly, the OEB has clearly

⁶⁵ EB-2024-0111 Settlement Proposal, Exhibit N-1-1, p. 34 (approved by the OEB on November 29, 2024).

⁶⁶ Decision and Procedural Order No.4 (January 13, 2025), p. 14.

found that its approval of community expansion projects does not remove Enbridge Gas's DSM program responsibilities in the relevant communities.⁶⁷ Nothing has changed in this regard, and nothing is different or unusual about the Project to warrant the imposition of additional conditions of approval proposed by PP related to DSM and eDSM.⁶⁸ As such, the OEB should reject the conditions sought by PP.

46. PP submits that the OEB consider ordering Enbridge Gas to file an annual report on all expansion projects to enable the OEB to understand the real attachment statistics and economics of expansion projects over time.⁶⁹ Enbridge Gas already submits a quarterly report for NGE Phase 2 Projects, regarding the status of projects and customer attachments, to ENERGY pursuant to O. Reg. 451/21 s.10.1(1) under the OEB Act. Furthermore, Enbridge Gas reports on attachment progress and economic progress where asked by interrogatories (e.g., Exhibit I.ED-12; Exhibit I.ED.39 part b); Exhibit I.ED-41 part a); EB-2022-0200, Exhibit JT3.16). The actual costs and attachments will also be filed to enable the OEB's review of the actual versus forecast variances in the first post-RSP rebasing. In Enbridge Gas's view, there is no need for additional reporting, which if imposed would simply add to the regulatory burden without corresponding incremental value. As such, the OEB should reject the imposition of an annual report sought by PP.
47. OEB staff submits that the OEB should approve the Project subject to the OEB's standard conditions of approval.⁷⁰ Enbridge Gas agrees.

⁶⁷ Ibid.

⁶⁸ PP submissions, pp. 9-10.

⁶⁹ PP submissions, p. 10.

⁷⁰ OEB staff submissions, p. 22.

G. Certificates of Public Convenience and Necessity

48. In their submissions, OEB staff is supportive of Enbridge Gas's requests for OEB orders:⁷¹

a) Cancelling and superseding the existing Certificate of Public Convenience and Necessity held by Enbridge Gas Inc. for the former Township of East Gwillimbury and replacing it with a new Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Town of East Gwillimbury, to address the municipal name change and the change in municipal boundaries.

b) Cancelling and superseding the existing Certificates of Public Convenience and Necessity held by Enbridge Gas Inc. for the Township of King and replacing it with a new Certificate of Public Convenience and Necessity to construct works to supply natural gas in the Township of King that addresses the municipal boundary changes that have occurred.

H. Conclusion

49. Enbridge Gas respectfully requests that the OEB reject the submissions of ED and PP and issue an order granting leave to construct for the East Gwillimbury Community Expansion project pursuant to section 90 of the OEB Act without the conditions proposed by those intervenors. Additionally, Enbridge Gas requests that the OEB approve Enbridge Gas's requests to cancel and supersede the existing certificates for each the former Township of East Gwillimbury and Township of King, with new certificates that align the current boundaries for the Town of East Gwillimbury and the Township of King.

⁷¹ OEB staff submissions, pp. 23-24.

Enbridge Gas Inc. Indigenous Consultation Log for the
 East Gwillimbury Community Expansion Project (Project)
 Log from October 8, 2024, to February 10, 2025

Alderville First Nation (AFN)					
Line Item	Date	Method	Summary of Enbridge Gas Inc. (Enbridge Gas) Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
1.48	January 13, 2025	virtual	An Enbridge Gas representative met with an AFN representative for a virtual meeting to review Enbridge Gas projects. No questions were asked about the Project.		
1.49	February 10, 2025	Email	An Enbridge Gas representative emailed an AFN representative to follow up on the Project. The Enbridge Gas representative offered to meet to discuss the Project further in their meeting that afternoon and discuss any comments AFN had.		
1.50	February 10, 2025	Email	An Enbridge Gas representative emailed the AFN presentation to follow up on their monthly meeting. The Enbridge Gas representative inquired if AFN had any outstanding concerns about the Project.		
1.51	February 10, 2025	Email		An AFN representative emailed the Enbridge Gas representative asking for a presentation about watercourse crossings and SAR habitat. The AFN representative also asked for a copy of the Stage 1 and 2 archaeology	See line-item attachment 1.51 AFN requested a presentation on watercourse crossings and SARS habitat, for copies of the Stage 1 and 2 AA reports.

				assessment (“AA”) report and inquired about the one property remaining for the Stage 2 AA.	
1.52	February 10, 2025	Email	An Enbridge Gas representative emailed the AFN representative to acknowledge the email and proposed to set up a meeting to provide the information. The Enbridge Gas representative requested some dates from AFN to meet.		
Beausoleil First Nation (BFN)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
2.13	February 6, 2025	Email	An Enbridge Gas representative emailed a BFN representative to follow up on the Project. The Enbridge Gas representative offered to meet to discuss the Project and discuss any comments BFN had.		
Chippewas of Georgina Island (CGI)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
3.33	February 6, 2025	Email	An Enbridge Gas representative emailed a CGI representative to follow up on the Project. The Enbridge Gas representative offered to meet to discuss the Project and discuss any comments CGI had.		
Chippewas of Rama First Nation (CRFN)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
4.22	February 6, 2025	Email	An Enbridge Gas representative emailed a CRFN representative to follow up on the Project.		

			The Enbridge Gas representative offered to meet to discuss the Project and discuss any comments CRFN had.		
4.23	February 6, 2026	Email		A CRFN representative emailed an Enbridge Gas representative to propose a meeting in March 2025. The CRFN representative explained CRFN is hiring a consultation worker and waiting until March would avoid duplicate meetings.	
4.24	February 6, 2025	Email	An Enbridge Gas representative emailed the CRFN representative to confirm that a date in March will work.		
Curve Lake First Nation (CLFN)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
5.18	October 17, 2024	Email		A CLFN representative emailed an Enbridge Gas representative to provide the invoice for CLFN's review of the Project's Environmental Report (ER).	
5.19	October 21, 2024	Email	An Enbridge Gas representative emailed a CLFN representative to confirm receipt of the invoice.		
5.20	January 3, 2025	Email		A CLFN representative emailed an Enbridge Gas representative to advise that CLFN had	

				<p>been contacted by the Ministry of Energy and Electrification (MOE) about the Project. The CLFN representative advised the MOE that they are waiting for responses from Enbridge Gas on the ER.</p>	
5.21	January 3, 2025	Email	<p>An Enbridge Gas representative emailed a CLFN representative to confirm that they would be sending responses to CLFN's ER review.</p>		
5.22	January 7, 2025	Email	<p>An Enbridge Gas representative emailed a CLFN representative Enbridge Gas' responses to CLFN's ER review. The Enbridge Gas representative advised the CLFN representative to inform them if they wanted to meet and discuss the responses.</p>		<p>See line-item attachment 5.22</p> <p>In its response, Enbridge Gas: explained that there was no anticipated impact on archaeological resources given the location of the Project and noted the process followed should such a resource be encountered; encouraged CLFN to provide the further information referenced in their comments; committed to notifying CLFN should an HDD not be feasible and to discuss alternative crossing methods; committed to sharing the tree inventory should trees need to be removed and to work together to address the loss of habitat; and</p>

					invited CLFN to attend the post-construction monitoring site visit.
5.23	January 29, 2025	Email	An Enbridge Gas representative emailed a CLFN representative to inquire about a comment in the ER review. They asked for the location of the referenced pre-Woodland encampment and post-Contact Indigenous burial ground so their archeologist could investigate further and proposed setting up a meeting to discuss this matter.		
5.24	January 29, 2025	Email	An Enbridge Gas representative emailed a CLFN representative to advise that Enbridge Gas will now be required to do Tree Removal on the Project to accommodate a Station. The Enbridge Gas representative provided the tree inventory and locations report.		An Enbridge Gas representative emailed a CLFN representative to advise that Enbridge Gas will now be required to do Tree Removal on the Project to accommodate a Station. The Enbridge Gas representative provided the tree inventory and locations report.
5.25	February 5, 2025	Email		A CLFN representative emailed an Enbridge Gas representative to propose discussing the ER comments at their upcoming meeting on February 19, 2025. The CLFN representative provided comments on Enbridge Gas' responses to the CLFN's review of the ER.	See line-item attachment 5.25 CLFN provided additional comments, seeking clarification on the entry and exit points for HDD, asking for the opportunity to provide input into the seed mix selection, advising that CLFN would review the list of species to identify any cultural keystone species, requesting to be notified of ground water disruptions

					and/or frac outs and asking questions regarding the removal of trees.
5.26	February 6, 2025	Email	An Enbridge Gas representative emailed a CLFN representative to confirm Enbridge Gas was working on responses to the second set of ER comments. The Enbridge Gas representative confirmed they would discuss the initial responses further during the meeting with CLFN on February 19 th , 2025.		
5.27	February 10, 2025	Email		A CLFN representative emailed an Enbridge Gas representative to confirm they could meet in-person on February 19 th , 2025.	
5.28	February 10, 2025	email	An Enbridge Gas representative emailed a CLFN representative to confirm February 19 th meeting attendance		
Hiawatha First Nation (HFN)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
6.18	February 6, 2025	Email	An Enbridge Gas representative emailed an HFN representative to follow up on the Project. The Enbridge Gas representative offered to meet to discuss the Project and discuss any comments that HFN had.		
Huron-Wendat Nation (HWN)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses

7.25	November 28, 2024	In person Meeting	Enbridge Gas and HWN met in person and discussed Enbridge Gas' supply chain management and Projects. No questions were asked regarding the Project. HWN reiterated their interest in archaeology.		
7.26	November 29, 2024	Email		An HWN representative emailed an Enbridge Gas representative to thank them for the in-person meeting the day before.	
7.27	December 2, 2024	Email	An Enbridge Gas representative emailed an HWN representative to assure them that Enbridge Gas would provide ample notice on upcoming archaeology activities, including dates, times, and contact information.		
Kawartha Nishnawbe (KN)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
8.14	February 6, 2025	Email	An Enbridge Gas representative emailed a KN representative to follow up on the Project. The Enbridge Gas representative offered to meet to discuss the Project and discuss any comments that KN had.		
8.15	February 6, 2025	Email		A KN representative emailed an Enbridge Gas representative to say they had not received payment for the field work completed in 2024.	
8.16	February 6, 2025	Email	An Enbridge Gas representative emailed a KN representative to inform		

			them that they had not received an invoice for the Project field work and requested that the KN representative forward the invoice again.		
8.17	February 8, 2025	Email		A KN representative emailed an Enbridge Gas representative to advise that they would wait for the payment for the past field work to be completed before participating in further activities. The KN representative requested that the Enbridge Gas representative contact them once the payment has been issued.	
8.18	February 10, 2025	Email	An Enbridge Gas representative emailed a KN representative to follow up on the invoice. The Enbridge Gas representative advised that they required the banking direct deposit form to finalize the accounts payable for KN.		
Mississaugas of Scugog Island First Nation (MSIFN)					
Line Item	Date	Method	Summary of Enbridge Gas Consultation Activity	Summary of Community Consultation Activity	Issues or Concerns Raised and Enbridge Gas Responses
9.22	January 24, 2025	Email	An Enbridge Gas representative emailed an MSIFN representative to provide Enbridge Gas' responses to MSIFN comments on the Project's ER.		See line-item attachment 9.22 Enbridge Gas provided explanations of assessment and mitigation measures as well as its monitoring approach. Enbridge Gas directed MSIFN to

					<p>the ER where the Confirmatory Site Assessment could be found. Enbridge Gas explained the re-seeding measures, agreed to provide the completed Cultural Heritage Report Existing Conditions and Preliminary Impact Assessment (CHRECPIA) and Stage 2 AA reports once finalized, and offered to meet with MSIFN consultation to identify what specific cumulative or residual effects of construction may be of concern to MSIFN.</p>
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Line-item attachment 1.51

From: Julie Kapyrka <jkapyrka@alderville.ca>

Sent: Monday, February 10, 2025 4:10 PM

To: Melanie Green <Melanie.Green@enbridge.com>

Subject: [External] RE: Enbridge Gas Inc. Proposed East Gwillimbury Community Expansion Project

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Mel,

A couple things:

1. Water crossings – there are so many with this project. It would be good to understand what is happening with them – a more specific presentation perhaps.
2. SAR habitat – seems like there is a lot, and many mitigations required. A more specific presentation about this aspect would be welcome.
3. Archaeology – can we please receive the Stage 1 and Stage 2 and needing more information on the statement below regarding the one property remaining for Stage 2:

Review findings of the Stage 2 Archaeology Assessment (one property remaining for Stage 2 Assessment)

Miigwech.

All the best,

Dr. Julie Kapyrka
Consultation Manager

Line Item attachment 5.22

**Enbridge Gas Inc. ("Enbridge Gas")
Responses to Curve Lake First Nation ("CLFN")
comments on the East Gwillimbury Community Expansion Project ("Project") Environmental Report**

Item	Curve Lake First Nation ("CLFN") comment	Enbridge Gas response
Archaeology	There is the possible presence of a pre-Contact Woodland encampment and a post-Contact Indigenous burial ground, within the proposed pipeline project boundaries. Our archeologist has asked for approximately 20-30 hours to dive further into this research in order to confirm or deny this potential for ancestors to be buried in the proposed project area.	Given the location and nature of the Project, Enbridge Gas does not anticipate encountering archaeological resources. Nonetheless, should an archaeological resource be encountered, Enbridge Gas is obligated to immediately stop work and notify the Ministry of Citizenship and Multiculturalism (MCM), via a licensed archaeologist. Enbridge Gas will notify CLFN in the event that any burial site is identified in the Project area. Should CLFN's archaeologists have further information regarding burial sites in the Project area, we would ask that the information be shared with Enbridge Gas. Enbridge Gas representatives would be available to meet with CLFN's archaeologist to answer questions about the Project, including the Project location and the nature of the activities being undertaken
Environment and Indigenous Relations		
Section 1.0 Introduction	There is an opportunity here to recognize which Treaty Territory the project is on.	Thank you for your comment.
Section 3.3 Indigenous Engagement	There is an opportunity here to distinguish between Rights holders and Indigenous communities that may have interest in the project.	Thank you for your recommendation. Enbridge Gas recognizes the distinction between Indigenous rights versus other types of interests that may be impacted by a proposed project. Enbridge Gas welcomes information regarding all types of potentially impacted interests so that appropriate mitigation measures can be implemented.
Table 7: Candidate Significant Wildlife Habitat within the Project Footprint and Study Area	There is an opportunity here to collaborate with Indigenous communities on Cultural Keystone Species and species of interest to the communities that may be of importance due to hunting, trapping, harvesting and spiritual practices.	Enbridge Gas would be pleased to receive further information from CLFN regarding Cultural Keystone Species and species of interest to the community and continues to be willing to meet with CLFN to discuss such information and associated mitigation measures. Enbridge Gas plans to implement the mitigation measures outlined in <i>Table 16: Assessment of</i>

		<i>Potential Effects of the Project on Wildlife and Wildlife Habitat in order to protect wildlife in the Project area.</i>
Section 6.2.2. Aquatic Environment	If trenchless method is not possible at water-crossings, please keep CLFN informed and allow for review of proposed water crossing mitigation to ensure no mortality of fish. IF fish salvage activities are determined to be required, please invite CLFN to observe these activities.	Thank you for your comment. Enbridge Gas will notify CLFN if a trenchless method (horizontal directional drill) of water-crossing cannot be performed and will discuss the alternative crossing method, including any planned fish salvage activities and opportunities to observe those activities, with CLFN.
Section 6.2.3. Wetlands	Written in the Michi Saagig Treaties, wetlands are to be protected an 120m buffer. Wetlands provide not only an environmental sanctuary but a spiritual one as well. If any disturbance to wetlands is anticipated, CLFN would like to review the detailed construction approach, sediment and erosion control measures and mitigation measures.	Enbridge Gas understands the importance of wetlands to CLFN. Pipeline construction will be confined to existing and disturbed ROWs and wetlands will be installed by HDD.
Section 6.2.4 Woodlands	If any trees need to be removed, please share the tree inventory with CLFN and next steps will be determined to accommodate this loss of habitat.	Currently, Enbridge Gas does not anticipate any tree removals for this project. If any trees need to be removed, Enbridge Gas will share the tree inventory with CLFN. We will work together to determine the next steps to accommodate the loss of habitat.
Section 7.0 Cumulative Effects Assessment	Collaborate with the Indigenous communities to uncover the traditional uses of the land and how it might be re-naturalized in these processes to pre-colonization.	The pipeline is planned to be installed within the road right of way and restoration activities will return the area to pre-construction state or better. Enbridge Gas welcomes CLFN to attend the post-construction monitoring site visit at 3- and 15-months post energization.

Line item attachment 5.25

Item	Curve Lake First Nation ("CLFN") comment	Enbridge Gas responses	CLFN responses
Archaeology	There is the possible presence of a pre-Contact Woodland encampment and a post-Contact Indigenous burial ground, within the proposed pipeline project boundaries. Our archeologist has asked for approximately 20-30 hours to dive further into this research in order to confirm or deny this potential for ancestors to be buried in the proposed project area.	Given the location and nature of the Project, Enbridge Gas does not anticipate encountering archaeological resources. Nonetheless, should an archaeological resource be encountered, Enbridge Gas is obligated to immediately stop work and notify the Ministry of Citizenship and Multiculturalism (MCM), via a licensed archaeologist. Enbridge Gas will notify CLFN in the event that any burial site is identified in the Project area. Should CLFN's archaeologists have further information regarding burial sites in the Project area, we would ask that the information be shared with Enbridge Gas. Enbridge Gas representatives would be available to meet with CLFN's archaeologist to answer questions about the Project, including the Project location and the nature of the activities being undertaken	To discuss at February 19th meeting.
Environment and Indigenous Relations			
Section 1.0 Introduction	There is an opportunity here to recognize which Treaty Territory the project is on.	Thank you for your comment.	Will an updated version of the Environmental Report be shared, including references to the treaties associated with the project location? More specific details in the response would be appreciated.
Section 3.3 Indigenous Engagement	There is an opportunity here to distinguish between Rights holders and Indigenous communities that may have interest in the project.	Thank you for your recommendation. Enbridge Gas recognizes the distinction between Indigenous rights versus other types of interests that may be impacted by a proposed project. Enbridge Gas welcomes information regarding all types of potentially impacted interests so that appropriate mitigation measures can be implemented.	To clarify, it is important to distinguish between the Williams Treaties First Nations (WTFN), as the recognized Treaty Rights holders to the land where the East Gwillimbury Community Expansion Project is taking place, and other First Nation and Métis communities that have an interest in the project. This distinction is essential to ensure the report accurately reflects these groups' distinct relationships with the land and the project. Accordingly, the Indigenous Engagement section should be revised in this report, as well as in future reports, to incorporate this distinction.
Table 7: Candidate Significant Wildlife Habitat within the Project Footprint and Study Area	There is an opportunity here to collaborate with Indigenous communities on Cultural Keystone Species and species of interest to the communities that may be of importance due to hunting, trapping, harvesting and spiritual practices.	Enbridge Gas would be pleased to receive further information from CLFN regarding Cultural Keystone Species and species of interest to the community and continues to be willing to meet with CLFN to discuss such information and associated mitigation measures. Enbridge Gas plans to implement the mitigation measures outlined in Table 16: Assessment of Potential Effects of the Project on Wildlife and Wildlife Habitat in order to protect wildlife in the Project area.	Next step for CLFN: review the list of species to identify any CKS.

Section 6.2.3. Wetlands	Written in the Michi Saagiig Treaties, wetlands are to be protected an 120m buffer. Wetlands provide not only an environmental sanctuary but a spiritual one as well. If any disturbance to wetlands is anticipated, CLFN would like to review the detailed construction approach, sediment and erosion control measures and mitigation measures.	Enbridge Gas understands the importance of wetlands to CLFN. Pipeline construction will be confined to existing and disturbed ROWs and wetlands will be installed by HDD.	Please confirm whether the entry and exit points for the HDD are located outside the 120-meter buffer for wetlands as outlined under the Williams Treaties. If they are within the wetland buffer area, appropriate compensation would need to be allocated. Additionally, any groundwater disruptions or frac-outs must be promptly communicated to CLFN.
Section 6.2.4 Woodlands	If any trees need to be removed, please share the tree inventory with CLFN and next steps will be determined to accommodate this loss of habitat.	Currently, Enbridge Gas does not anticipate any tree removals for this project. If any trees need to be removed, Enbridge Gas will share the tree inventory with CLFN. We will work together to determine the next steps to accommodate the loss of habitat.	Thank you for your response.
Section 7.0 Cumulative Effects Assessment	Collaborate with the Indigenous communities to uncover the traditional uses of the land and how it might be re-naturalized in these processes to pre-colonization.	The pipeline is planned to be installed within the road right of way and restoration activities will return the area to pre-construction state or better. Enbridge Gas welcomes CLFN to attend the post-construction monitoring site visit at 3- and 15-months post energization.	CLFN appreciates the invitation to attend the post-construction monitoring site visit. However, we would like to reiterate our earlier comment emphasizing the importance of CLFN's participation in restoration activities, such as providing input on the seed mix selection.

Notice of Project Change - Removal of Trees

	Please share the wetland summary memo when it's ready, so we can review the impact on the wetland, Black Ash, and Species at Risk (SAR) bats.		
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Arborist Report and Tree Inventory and Preservation Plan - Jan 2025	Black Ash is a culturally significant species for the Michi Saagiig. Even if there is no direct removal of Black Ash, its presence in the surrounding area must be considered. If these trees are seedlings, the disturbance could significantly reduce the potential for new growth in the affected area.		
	Is there any indication that ash trees in the area are affected by Emerald Ash Borer? If so, what measures are in place to prevent the spread of the disease during the project?		
	What will happen to trees with a DBH of less than 5 cm? These trees had the potential for further growth, and the disturbance will also affect them. Will compensation be provided for these trees as well?		
	Even though York Region has confirmed that compensation is not required, it should still be allocated, as disturbance will occur and trees will be removed. Restoration should follow an ecological function-based compensation approach, with input from FN communities to ensure that Cultural Keystone Species are included. If on-site replanting is not possible, new planting locations should be determined in consultation with FN communities and, where feasible, remain within the same sub-watershed.		

	All of the trees to be removed are Eastern White Cedar, a species of cultural significance. These trees are used by the Michi Saagiig for various medicinal purposes. CLFN should be given the opportunity to harvest these trees before removal.		
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Line-item attachment 9.22

**Enbridge Gas Inc. (“Enbridge Gas”) Responses
to Mississaugas of Scugog Island First Nation (“MSIFN”) comments
on the East Gwillimbury Community Expansion Project (“Project”)**

Enbridge Gas’s Responses to MSIFN Comments received on July 31, 2024 on the Project’s Environmental Report Amendment		
Item	MSIFN comment	Enbridge Gas response
Section 4.1 Natural Environment	<p>- “Dillon conducted a confirmatory site assessment on April 18, 2024, to confirm the existing conditions of the Study Area for the Yonge Street Reinforcement.”</p> <p>If you could please provide MSIFN Consultation the Confirmatory Site Assessment for our review, that would be greatly appreciated. It is important that we ensure additional features/species not included in the original ER are accounted for.</p>	<p>The results of the confirmatory site assessments are within Section 4.0 Physical, Natural and Socio-Economic Environment Setting of the Environmental Report Amendment.</p>
Section 4.1.3 Terrestrial Habitat and Vegetation	<p>- “Natural features were generally identified to the community class level of the ELC hierarchy. Assessments were completed from the roadside and publicly accessible areas due to limited and restricted access on private properties. No rare vegetation communities or plant Species at Risk (SAR) were observed during the April 18, 2024 confirmatory site visit.”</p> <p>It was noted previously in this amendment that due to restrictions you were not able to fully assess the area/did not have full access to the</p>	<p>“Community class level” specifically refers to the hierarchical level in this classification system where different ecological communities are grouped based on shared characteristics. This can include aspects such as dominant plant species, habitat types, or ecological functions.</p> <p>Ecological communities were determined through a combination of aerial imagery interpretation, comparison with MNRF designated and/or identified features (wetlands, woodlands, watercourses, waterbodies), and confirmed to the ELC community level through roadside assessment.</p>

	<p>area (4.1.1 “the wetland feature was identified... but could not be identified or delineated further due to restricted property access...”) How then can you confirm if there were any natural features outside of the community class level?</p> <p>It is also difficult to confirm that there were no Species at Risk or Rare Vegetation Communities due to the time frame of the confirmatory site visit due to the fact that a lot of vegetation this early in the year is still dormant. As per Burrows, 2004, when seasonal vegetation surveys were conducted, during surveys conducted in mid to late summer, autumn and early winter less than 50% of plant species were present on site compared to growing season where the greatest number of species was recorded.</p> <p>MSIFN Consultation suggests that additional confirmatory site visits be conducted during the time of full vegetation growth (Spring through to Fall) to complete a full assessment and confirmation that there are no species at risk or vulnerable vegetation growing within the Study Area. The suggested number of visits would be at least once every season, preferably twice a season:</p> <ul style="list-style-type: none"> - Spring (March – May) – - Summer (June – August) - Autumn (September– November) - Winter (December – February) 	<p>These ELC surveys were completed to determine the surrounding natural environment, and habitat features adjacent to the pipeline route. As the construction footprint of the pipeline will occur within the existing municipal road ROW, direct impacts to naturally occurring ecological features (forests, woodlands, wetlands) are not anticipated. As vegetation alteration or removal is not anticipated in areas other than roadside vegetation, a three-season botanical inventory is not considered necessary.</p>
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<p>Section 4.2.1.1 Archaeological Resources</p>	<ul style="list-style-type: none"> - "A Stage 2 AA is currently being completed by TMHC for the Project and was initiated following the completion and submission of the Stage 1 AA in 2023. The Stage 2 AA is expected to be completed in July 2024." <p>If you could please provide MSIFN Consultation the Stage 2 AA once completed for our review, that would be greatly appreciated.</p> <p>Please confirm if MSIFN Consultation was extended an invitation to participate in the Stage 2 AA.</p>	<p>MSIFN was invited to participate in Stage 2 AA on May 29th, 2024. Once finalized, the Stage 2AA will be provided to MISFN..</p>
<p>Section 4.2.1.2</p>	<ul style="list-style-type: none"> - "Completion of the CHRECPIA for MCM review is anticipated for Q3 2024." <p>If you could please provide MSIFN Consultation the CHRECPIA once it is updated to include the Yonge Street Reinforcement for our review, that would be greatly appreciated.</p>	<p>Enbridge Gas will provide the CHRECPIA once finalized.</p>
<p>Section 7.2.2 Reasonably Foreseeable Developments – Table</p>	<ul style="list-style-type: none"> - "Holland Landing – Yonge Street Revitalization Location: Younge Street from Mount Albert Road to Doane Road including portions of intersection side streets at the main intersection of Bradford Street/Thomson Drive and intersecting local streets throughout the corridor. Enbridge Gas will work to identify efficiencies in regard to timing and coordination of Project construction 	<p>Enbridge Gas will install the pipeline in accordance with the York Region requirements for depth and offset from property line.</p> <p>The Region's contractor must follow the procedure outlined in Enbridge Gas' "<u>Third-Party Requirements in the Vicinity of Natural Gas Facilities Standard</u>" should crews be faced with any utility damage during construction.</p>

	<p>with other planned developments, where feasible, in order to reduce the cumulative impact.”</p> <p>Since this revitalization project is occurring in close proximity to the Yonge Street Reinforcement, have you considered what happens if any pipelines/equipment becomes damaged during these construction activities? Have you accounted for/mitigated the chance of any potential breaks/damages during this proposed street and infrastructure improvement project?</p> <p>MSIFN Consultation recommends the construction of these projects in the area to be completed simultaneously or close to the same timeline to mitigate prolonged disturbance to the surrounding environment.</p> <p>What does Enbridge define as feasible?</p>	<p>No two utilities can work simultaneously given the nature of the work. While Enbridge Gas intends to meet its planned timeline so the Project can be coordinated with the York Region’s planned development, the timing of Project execution will depend on when LTC approval is received.</p>
<p>Section 7.3 Residual Effects Carried Through the Cumulative Effects Assessment – Table 5</p>	<p>- “Reduction in surface water quality: With the implementation of mitigation measures, including industry standard best practices and compliance with applicable provincial and municipal permitting requirements, there is a very low probability of a residual effect on surface water from Project activities, and cumulative effects of the Project in combination with other developments are considered unlikely. Alteration of wildlife habitat, disruption of wildlife</p>	<p>Section 10 of the Environmental Report provides specific detail on how Enbridge Gas intends to employ inspection and monitoring to ensure environmental mitigation measures are implemented during construction.</p> <p>Mitigation objectives outlined in the Environmental Report are monitored in the field by Enbridge Gas-designated Environmental Inspectors, whose role will be to ensure regulatory compliance objectives are maintained, specific permit conditions are adhered to and any other project-specific environmental</p>

	<p>movement, and/or increase in wildlife mortality during construction: With the implementation of mitigation measures, including industry standard best practices and compliance with applicable provincial and municipal permitting requirements, there is a very low probability of a residual effect on wildlife habitat, disruption of wildlife movement, and/or increase in wildlife mortality during construction.”</p> <p>What exactly will you be doing to ensure that this mitigation is implemented and therefore will not become a cumulative or residual effect? MSIFN Consultation expects a detailed response.</p> <p>MSIFN Consultation recognizes that the reinforcement of Yonge Street project is taking place in a space that already separates a connecting greenspace, however with the increased activity in the area this further limits the migration of animals safely. What happens if they come onto the project site location? MSIFN Consultation expects a detailed response.</p> <p>MSIFN Consultation suggests that Enbridge leads a project that would improve the connection between greenspaces. MSIFN Consultation would be happy to collaborate with developing such a program.</p>	<p>objectives outlined in the Environmental Report are achieved.</p> <p>Table 16 of the Environmental Report details specific mitigation measures to be implemented to minimize adverse effects to wildlife migration and maintain wildlife safety, Enbridge Gas will complete any overall habitat benefit improvement projects in accordance with MECP permitting conditions, if stipulated.</p> <p>Enbridge Gas would be interested in meeting with MSIFN Consultation to identify what specific cumulative or residual effects may be of concern due to project construction.</p>
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<p>Section 7.4.2 Loss or Alteration of Vegetation</p>	<p>- "All lands supporting vegetation disturbed by construction will be seeded with the appropriate seed mixture following clean up activities."</p> <p>MSIFN Consultation proposes that all re-seeded areas will be done so with native vegetation and preferably, obtained through local resources.</p> <p>On July 10th, 2024, MSIFN Consultation provided Enbridge with a list of local resources to obtain native vegetation. Additionally, MSIFN Consultation shared seed mixture guidelines prepared by the TRCA with Enbridge.</p> <p>In detail, please explain how the reseeded plan will adhere to the TRCA's guidelines. Specifically, MSIFN Consultation is seeking information on how Enbridge will adhere to Section 1.0: Post-construction Soil Quality and Depth, Section 2.0 Selection of Seed Mixes, and Section 3.0 Seed Mix Application.</p> <p>Please share the draft reseeded plan with MSIFN Consultation for review and comment</p>	<p>Thank you for the information you have provided to date.</p> <p>Mitigation measures relating to re-seeding are found in Table 15 of the Environmental Report. No specific reseeded plan under separate cover will be developed for the Project.</p> <p>Enbridge Gas will re-seed disturbed areas with appropriate seed mixes, in accordance with landowner requirements. In areas regulated by the LSRCA, Enbridge Gas will adhere to LSRCA permitting conditions relating to re-seeding. When no specific seed mix is specified by a landowner or the LSRCA, Enbridge Gas will seek to use locally sourced native seed mixes wherever possible.</p> <p>Enbridge Gas will conduct post-construction monitoring of all restoration work in accordance with OEB requirements, and as described in section 10.3 of the Environmental Report. The effectiveness of revegetation will be evaluated using the criteria outlined in section 10.2.3 of the Environmental Report.</p>
		<p>Section 10 of the Environmental Report provides specific detail on how Enbridge Gas intends to employ inspection and monitoring to ensure environmental mitigation measures are implemented during construction.</p>