



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

BY EMAIL

February 20, 2026

Ritch Murray
Acting Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Dear Ritch Murray:

**Re: Enbridge Gas (Enbridge Gas)
Waubuno Gathering System and Compressor Replacement Project
OEB Staff Interrogatories
Ontario Energy Board File Number: EB-2025-0307**

In accordance with Procedural Order No. 1, please find attached the OEB staff interrogatories for the above proceeding. This document has been sent to Enbridge Gas and to all other registered parties to this proceeding.

Enbridge Gas is reminded that its responses to interrogatories are due by March 6, 2026.

Yours truly,

Randy Doradat
Advisor, Natural Gas

Encl.

**OEB Staff Interrogatories
Enbridge Gas Inc.
EB-2025-0307**

Please note, Enbridge Gas 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*.

ISSUE 1.0 NEED FOR THE PROJECT

Staff-1

Ref: Exhibit A, Tab 2, Schedule 1, p. 2-3, paragraph 5
Exhibit D, Tab 1, Schedule 1, Attachment 1

Preamble:

Enbridge Gas provided a construction schedule for the Project. To meet construction timelines, Enbridge Gas requested approval of the application by June 2026.

Questions:

- a) Please discuss any associated risks and impacts if the proposed construction start and/or in-service date for the Project are delayed.
- b) Please discuss the impact to the proposed construction schedule and in-service date if Enbridge Gas receives a decision and order from the OEB later than June 2026.

Staff-2

Ref: Exhibit B, Tab 1, Schedule 1, p. 9-12

Preamble:

Enbridge Gas stated that the most recent hazard assessment completed on the pipeline system by Enbridge Gas found that the Waubuno Gathering Line and three well laterals were susceptible to Long Seam Cracking and Selective Seam Weld Corrosion hazards.

Enbridge Gas stated that pipeline operators have enhanced their integrity management programs to recognize Long Seam Cracking and Selective Seam Weld Corrosion as critical threats to health and safety.

Enbridge Gas stated that pipeline failure can occur due to Selective Seam Weld Corrosion and Long Seam Cracking.

Questions:

- a) Please explain Enbridge Gas's rationale for recognizing Long Seam Cracking and Selective Seam Weld Corrosion of the Waubuno Gathering System pipelines as critical potential operational threats to health and safety.
- b) Please define and explain the concept of "failure" in the context of the Waubuno Gathering System pipelines experiencing Long Seam Cracking and Selective Seam Weld Corrosion.
- c) For the Waubuno Gathering System, please explain the potential reliability of service and financial impacts of pipeline failure due to Long Seam Cracking and Selective Seam Weld Corrosion.
- d) Upon failure, would the Waubuno storage pool be shut down, impacting withdrawal/injection capacity? If so, please quantify the impact to capacity.

Staff-3

Ref: Exhibit B, Tab 1, Schedule 1, p. 15, paragraph 42
Exhibit C, Tab 1, Schedule 1, p. 19, paragraph 44
Exhibit E, Tab 1, Schedule 1, p.4, paragraph 5

Preamble:

Enbridge Gas stated that its non-utility business is proposing incremental project scope, referred to as the Waubuno Gathering System Enhancements (Enhancements), to ensure all new facilities associated with the Waubuno Storage Pool are adequately designed for future delta pressuring projects or incremental withdrawal projects. Enbridge Gas is not proposing incremental storage space capacity or withdrawal

capability as part of this project. The scope is incremental in that it is not required to meet the current project need. Enbridge Gas indicated that its ratepayers will not incur any rate impacts of the unregulated allocations and the Enhancements are identified to be 100% unregulated.

The Enhancements include upsizing the proposed 530 m of NPS 10 Waubuno Gathering Line replacement to NPS 12, upsizing the existing 110 m of NPS 10 (which would have otherwise remained in place) to NPS 12 and upsizing the proposed NPS 10 receiver to an NPS 12 receiver. The resulting proposed Waubuno Gathering Line becomes 640 m of NPS 12. Additionally, the Enhancements include upsizing the three NPS 4 well lateral replacements to NPS 8, and “like-for-like” replacement of one existing NPS 8 well lateral and one NPS 10 well lateral.

Questions:

- a) Please explain when the future delta pressuring and incremental withdrawal projects are scheduled for.
- b) Please explain when the incremental withdrawal/capacity/delta pressuring is required by.
- c) Please explain the demand drivers for the increased withdrawal and delta pressuring.

Staff-4

Ref: Exhibit A, Tab 2, Schedule 1, p.1
Exhibit B, Tab 1, Schedule 1, p. 15, paragraph 42
Exhibit C, Tab 1, Schedule 1, p.14-15 (paragraph 34)
Exhibit C, Tab 1, Schedule 1, p. 19, paragraph 44

Preamble:

Enbridge Gas proposed an NPS 12 pipeline to replace the existing Waubuno Compressor Package.

For the Waubuno Gathering System, Enbridge Gas evaluated two alternatives, and the preferred option was Gathering System Alternative 2. This option involves upsizing sections of the Waubuno Gathering Line, like-for-like replacement of three well laterals,

a receiver and a launcher to facilitate in-line inspection of the Waubuno Gathering Line and eliminate integrity risks associated with the well laterals.

Enbridge Gas indicates that the largest pipe size in the existing Waubuno Gathering System as well as in the Gathering System Alternative 2, is NPS 10.

In addition to the pipelines required to meet the project need, the Enbridge Gas non-utility business proposed incremental scope, referred to as the Waubuno Gathering System Enhancements (Enhancements), to ensure all new facilities associated with the Waubuno Storage Pool are adequately designed for future delta pressuring projects or incremental withdrawal projects. Enbridge Gas is not proposing incremental storage space capacity or withdrawal capability as part of this project. The Enhancements include upsizing the Waubuno Gathering Line replacement beyond what was required to meet the project need to NPS 12, such that the Waubuno Gathering Line becomes entirely NPS 12.

Questions:

- a) Please explain why an NPS 12 pipeline is required, as opposed to an NPS 10 pipeline, for the Waubuno Compressor Package replacement.

- b) If the reason for this sizing is to be compatible with the Waubuno Gathering System Enhancements, will ratepayers bear the cost for the upsizing of NPS 10 to NPS 12 for the compressor replacement pipeline?

ISSUE 3.0 PROJECT COST AND ECONOMICS

Staff-5

Ref: Exhibit C, Tab 1, Schedule 1, p.11, paragraph 25, p.17, paragraph 40 and p.18, paragraph 42
Exhibit E, Tab 1, Schedule 1, p.1, paragraph 2

Preamble:

Enbridge Gas indicated that the total capital cost of the preferred Waubuno Compressor Package replacement alternative (Compressor Replacement Alternative 1) is \$21.1 million while that of the preferred Waubuno Gathering System replacement (Gathering

System Alternative 2) is \$7.9 million. OEB staff notes the combined cost equates to \$29.0 million.

Enbridge Gas stated that if the Waubuno Compressor Package and Waubuno Gathering System replacements were not combined into a single project, the combined capital cost of the preferred compressor replacement alternative (Compressor Replacement Alternative 1) with the preferred gathering system replacement alternative (Gathering System Alternative 2) would be \$30.9 million. Enbridge Gas stated that by combining the two into a single project, savings of approximately \$5.4 million are expected. OEB staff notes this means that the combined capital cost when combining the two into a single project, would be approximately \$25.5 million. OEB staff notes this cost does not include that of the Waubuno Gathering System Enhancements.

In Exhibit E, Enbridge Gas stated the estimated cost of the project including the Gathering System enhancements is \$22.4 million.

Questions:

- a) The combined cost of the two preferred projects (Compressor Replacement Alternative 1 and Gathering System Alternative 2), prior to combining into a single project, appears to be \$29.0 million as well as \$30.9 million. Please explain this discrepancy.
- b) Please confirm if the combined cost of the preferred alternatives (Compressor Replacement Alternative 1 and Gathering System Alternative 2), after combining them into a single project, is \$25.5 million.
- c) If confirmed in b) above, please explain why the combined cost of the preferred alternatives (\$25.5 million) is indicated to be more than the total project cost including the Gathering System enhancements (\$22.4 million), when the Gathering System enhancements can be expected to represent costs incremental to the preferred alternatives.

Staff-6

Ref: Exhibit E, Tab 1, Schedule 1, p.1, Table 1

Preamble:

Enbridge Gas provided Table 1 that includes estimated project costs broken down into pipeline and ancillary costs.

Table 1: Estimated Project Costs

<u>Item #</u>	<u>Description</u>	<u>Pipeline Costs</u>	<u>Ancillary Costs¹</u>	<u>Total Costs</u>
1	Material Costs	\$2,338,000	\$1,092,000	\$3,430,000
2	Labour Costs	\$6,476,261	\$2,161,158	\$8,637,419
3	External Permitting & Lands	\$245,400	\$54,600	\$300,000
4	Outside Services	\$2,402,100	\$942,900	\$3,345,000
5	Contingency	\$2,865,441	\$1,062,665	\$3,928,106
6	Direct Capital Cost	\$14,327,202	\$5,313,323	\$19,640,525
7	Interest During Construction	\$246,295	\$114,939	\$361,234
8	Indirect Overheads	\$767,123	\$245,018	\$1,012,141
9	Dismantlement	\$882,875	\$517,125	\$1,400,000
10	Total Project Costs²	\$16,223,495	\$6,190,405	\$22,413,900

Question:

- a) Please provide a breakdown of all costs in Table 1 indicating the allocation of each cost between the preferred project (Compressor Replacement Alternative 1 and Gathering System Alternative 2) and the Enhancements. Please provide the basis for all allocations.

Staff-7

Ref: Exhibit E, Tab 1, Schedule 1, p.2-3

Preamble:

Enbridge Gas stated that the Project cost estimate includes a 25% contingency applied to all direct capital costs and that this contingency amount has been calculated based on the risk profile of the Project.

Enbridge Gas provided examples of other OEB-approved Enbridge Gas projects with comparable scope, namely the Sarnia Industrial Line Reinforcement Project and the St. Laurent Pipeline Replacement Project.

Table 2, shown below, indicates contingency costs for the Sarnia Industrial Line Reinforcement Project and the Waubuno Gathering System and Compressor Replacement Project to be \$27,660 and \$2,865,441 respectively.

Table 2: Project Cost Comparison

	Waubuno Gathering System and Compressor Replacement Project	Sarnia Industrial Line Reinforcement Project³	St. Laurent Pipeline Replacement Project⁴
Facility Description	<ul style="list-style-type: none"> • 1.1 km NPS 12 9,308 kPa • 640 m NPS 12 9,308 kPa • 220 m NPS 8, 9,308 kPa • 87 m NPS 10, 9,308 kPa • Station Rebuild • New launcher/receiver site 	<ul style="list-style-type: none"> • 1.2 km NPS 20, 6,620 kPa • New Valve Site • Station modifications Novacor Corunna and Dow Valve Site 	<ul style="list-style-type: none"> • 10 km NPS 12, 4,500 kPa • 2.5 km NPS 16, 4,500 kPa • 0.3 km NPS 6, 4,500 kPa • 0.9 km NPS 6, 440 kPa • 3.9 km NPS 4, 440 kPa
Material Costs	\$2,338,000	\$3,852,000	\$5,713,679
Labour and Construction Costs	\$9,123,761	\$15,928,000	\$119,644,388 ⁵
IDC	\$361,234	\$141,000	\$3,711,276
Contingency	\$2,865,441	\$27,660	\$19,840,594
Station Costs	\$5,313,323	\$12,303,809	\$15,587,796
Dismantlement	\$1,400,000	\$0	\$8,700,000
Indirect Overheads	\$1,012,141	\$4,231,977	\$35,517,720
Total Project Costs	\$22,413,900	\$36,484,446 ⁶	\$208,715,452 ⁷
Pipeline Cost per meter⁸	\$7,430 ⁹	\$16,506	\$8,744

Question:

- a) Please provide a narrative on the aspects of risk profile of the Project that result in the proposed 25% contingency amount and how these aspects compare to other relevant past projects, such as the two referenced examples.

- b) Please explain why the contingency for the Waubuno Gathering System and Compressor Replacement Project (\$2,865,441) is significantly larger than that of the Sarnia Industrial Line Reinforcement Project (\$27,660), when the total project costs for these two projects are of similar scale (\$22,413,900 and \$36,484,446).

Staff-8

Ref: Exhibit E, Tab 1, Schedule 1, p.4, Table 3

Preamble:

Enbridge Gas provided Table 3, shown below, with a footnote noting that the Forecasted Capital Cost is inclusive of direct capital costs only (excludes indirect overheads).

Table 3
Project Storage Cost Allocation

Facility and Type	Storage Cost Allocation ¹¹	Forecasted Capital Cost ¹²
Preferred Alternative	62.2% Regulated	\$12,722,439
Preferred Alternative	37.8% Unregulated	\$7,731,643
Enhancements	100% Unregulated	\$947,677
Total Direct Project Cost		\$21,401,760

Question:

- a) Please provide the storage cost allocation of the indirect overheads, indicating how much is allocated to the Preferred Alternative and how much is allocated to the Enhancements, as well as the portions allocated to regulated vs. unregulated costs.

Staff-9

Ref: Exhibit E, Tab 1, Schedule 1, p.4, paragraph 6
 Exhibit C, Tab 1, Schedule 1, Attachment 1, paragraph 2

Preamble:

Enbridge Gas stated that a Discounted Cash Flow (DCF) report has not been completed for the Project, as the Project is driven by integrity concerns.

OEB staff notes that in Exhibit E, Project Costs and Economics, there is no mention of the application conforming to E.B.O. 188/E.B.O. 134 or an explanation of how the proposed project meets the appropriate economic test.

In relation to alternative comparison for both the Waubuno Compressor Package replacement and Waubuno Gathering System replacement, Enbridge Gas states that “The costs related to the alternatives were the discounted using the methodology prescribed by the OEB’s E.B.O. 188 to arrive at a net present value (NPV) for each”.

Question:

- a) In the case of the Project costs, please explain why integrity concerns are a valid reason for exclusion from completion of a DCF. Please include reasoning for each of the two components of the Project, the Waubuno Compressor Package replacement pipeline and the Waubuno Gathering System replacement.

- b) Please explain why for the Project, there is no mention of the application conforming to E.B.O. 188/E.B.O. 134 or an explanation of how the proposed project meets the appropriate economic test.
- c) Was the profitability index determined for each alternative of the Waubuno Compressor Package replacement and the Waubuno Gathering System replacement?
 - a. If yes, please provide these values.
 - b. If not, please explain why not.

ISSUE 4.0 ENVIRONMENTAL IMPACTS

Staff-10

Ref: Exhibit D, Tab 1, Schedule 1, p.9, paragraph 17

Preamble:

Enbridge Gas stated that it filed an application with the TSSA on August 28, 2025 and that the TSSA reviewed its application and design, and confirmed they did not find any non-compliances with Ontario Regulation 210/01: Oil and Gas Pipeline Systems or CSA Z662:23.

Questions:

- a) Please confirm if a risk assessment per CSA Z662 Annex B has been filed with the TSSA and if so, what is the status of that filing?

Staff-11

Ref: Exhibit F, Tab 1, Schedule 1, p.4 and Environmental Report, Appendix A.6

Preamble:

Enbridge Gas stated that the draft Environmental Report (ER) was circulated to the Ontario Pipeline Coordinating Committee (OPCC), Indigenous communities and all other parties identified on the Project contact lists on July 28, 2025, with comments requested by September 8, 2025. Enbridge Gas filed the comments received on the ER in Appendix A.6.

Questions:

- a) Please file an update of the comments provided in Appendix A.6 (summarized in tabular format) that Enbridge Gas has received as part of its consultation since the application was filed, including the dates of communication, the issues and concerns identified by the parties, as well as Enbridge Gas's responses and actions to address these issues and concerns. Please include the supporting documentation, i.e. email correspondence that is referenced.

Staff-12

Ref: Exhibit F, Tab 1, Schedule 1, p.5-6
Exhibit H, Tab 1, Schedule 1 and Attachments 2

Preamble:

Enbridge Gas stated that a Stage 1 archaeological assessment (AA) was completed and submitted to the Ministry of Citizenship and Multiculturalism (MCM) for review on June 13, 2025. Enbridge Gas stated that a Stage 2 Archaeological Assessment, and any subsequently required archaeological studies, will be completed during the 2025/2026 season. Enbridge Gas stated that Indigenous communities will be invited to participate in the assessments. Enbridge Gas stated that upon completion, the Stage 2 AA Report will be submitted to the MCM for review.

Enbridge Gas stated that a Cultural Heritage Screening Report (CHSR) was prepared and included as part of the Environmental Report, included with the application. Enbridge Gas stated that the CHSR found that there are multiple structures over 40 years of age within the Study Area which indicates potential cultural heritage value and that a Cultural Heritage Report is being completed to review potential impacts to the identified structures and provide recommended mitigation measures as necessary.

The Ministry of Energy and Mines (MEM) identified five Indigenous communities that Enbridge Gas should consult in relation to the Project:

- Aamjiwnaang First Nation
- Chippewas of Kettle and Stony Point First Nation
- Chippewas of the Thames First Nation
- Oneida Nation of the Thames
- Walpole Island First Nation

Questions:

- a) Please provide an update on if the Cultural Heritage Report has been completed.
- b) When will the Cultural Heritage Report be submitted to MCM for review?
- c) If the Cultural Heritage Report has already been reviewed by MCM, please provide a summary of any comments that have been received from MCM.
- d) Please provide a summary of any comments that have been received from MCM on the Stage 1 AA.
- e) Please provide an update on the Stage 2 AA and confirm whether it has been completed and submitted to MCM.
- f) If the Stage 2 AA has been completed and submitted to MCM, please provide a summary of any comments that have been received from MCM.
- g) Please advise if any of the Indigenous communities identified in the Delegation Letter have been consulted in work relating to Stage 1 AA and/or Stage 2 AA. Please include the timing and role of their participation. Please describe the consultation scope and outcomes.
- h) Please provide a summary of any comments received to date from consulted Indigenous communities about:
 - i. schedule and location of Stage 2 AA
 - ii. monitoring Stage 2 AA surveys, and
 - iii. review of the reports on Stage 2 AA prior to submission to the MCM.

ISSUE 5.0: ROUTE MAP AND FORM OF LANDOWNER AGREEMENTS

Staff-13

Ref: Exhibit G, Tab 1, Schedule 1

Preamble:

Enbridge Gas stated the Gathering System replacement is located within existing easement lands and that the land rights to complete the pipeline replacement work were

previously granted through existing easement agreements and reference plans registered on property titles. Additionally, Enbridge Gas stated it maintains a Gas Storage Lease on the title of each property granting Enbridge Gas the rights to complete the proposed scope of work.

Enbridge Gas stated that the Waubuno Compressor Package replacement pipeline is anticipated to follow the public road allowance for the entirety of the proposed pipeline route and that it will be constructed through pre-existing rights. Enbridge Gas does not anticipate that any permanent easements will be required.

Enbridge Gas stated it is seeking temporary land use (TLU) for construction and storage purposes on four private properties. Enbridge gas stated that for three of these properties, it maintains a Gas Storage Lease on title which grants it the right to complete this scope of work. Enbridge Gas stated the remaining property will require a TLU Agreement with the affected landowner and that preliminary discussions have taken place, but an agreement has not been finalized.

The evidence includes a form of permanent land use agreement that will be provided to landowners, should it be determined to be required. The evidence includes a form of TLU agreement that Enbridge Gas stated will be provided to the landowner of the property that does not have an existing Gas Storage Lease.

Question:

- a) Please provide an update on the status of land negotiations where any permanent and/or temporary easements are required. Please include any concerns raised by landowners and Enbridge Gas's responses.

- b) Please provide the history and prospects of negotiations with the landowner who has not granted the one remaining Temporary Land Use Agreement to allow additional space for project construction.

Staff-14

Ref: Exhibit G, Tab 1, Schedule 1, p.2, Table 1 and attachments 1-5

Preamble:

Enbridge Gas stated it is seeking temporary land use (TLU) for construction and storage purposes on 4 private properties.

In Table 1 and attachments 1-4, Enbridge Gas indicated the PIN #s for the 4 private properties as follows.

- 43312-0087
- 43312-0101
- 43315-0053
- 43315-0130

In attachment 5, Enbridge Gas provided a summary of negotiations with all owners of lands within the identified area. For PIN # 43315-0135, the summary of negotiation indicates the landowner was contacted regarding temporary workspace.

OEB staff noted that Table 1 and attachments 1-4 do not include PIN # 43315-0135 and that attachment 5 does not include 43315-0053.

Question:

- a) Please explain why Table 1 and attachments 1-4 do not include PIN # 43315-0135 and that attachment 5 does not include 43315-0053. If information or documents were inadvertently omitted, please provide them.

Staff-15

Ref: Exhibit G, Tab 1, Schedule 1, p. 4-5

Preamble:

Enbridge Gas identified the potential permits/approvals that may be required for the Project at the reference above.

Enbridge Gas also stated that other authorizations, notifications, permits and/or approvals may be required in addition to the ones listed. Enbridge Gas states it is committed to obtaining all the required permits and approvals prior to the start of construction.

Questions:

- a) Please advise whether Enbridge Gas has identified any permits/approvals required for the Project other than those listed in the application. If so, please describe the required permit/approval.

- b) Please provide an update on the status of each permit/approval required for the construction of the Project including when Enbridge Gas expects to receive the required permit/approval.

ISSUE 6.0 INDIGENOUS CONSULTATION

Staff-16

Ref: Exhibit H, Tab 1, Schedule 1 and Attachments 2,6,7

Preamble:

The Ministry of Energy and Mines (MEM) identified five Indigenous communities that Enbridge Gas should consult in relation to the Project:

- Aamjiwnaang First Nation
- Chippewas of Kettle and Stony Point First Nation
- Chippewas of the Thames First Nation
- Oneida Nation of the Thames
- Walpole Island First Nation

In Attachment 6, Enbridge Gas filed its Indigenous Consultation Report summarizing its Indigenous consultation activities up to November 5, 2025.

Enbridge Gas stated that it has provided its Indigenous Consultation Report for review by the MEM and the MEM will determine whether the consultation undertaken by Enbridge Gas to-date for the purpose of the application for leave to construct for the Project is sufficient by providing a Letter of Opinion to Enbridge Gas.

Questions:

- a) Please describe the format (e.g. virtual meetings, in-person meetings, phone calls, emails, etc.) and scope of Enbridge Gas's communication with MEM staff on the procedural aspects of Indigenous consultation delegated to Enbridge Gas, since the outset of Indigenous consultation.
- b) Please update the evidence with any correspondence between MEM and Enbridge Gas since the application was filed, regarding MEM's review of Enbridge Gas's consultation activities.

- c) Please indicate when Enbridge Gas expects to receive a Letter of Opinion from MEM.
- d) Please provide an update on Indigenous consultation activities set out in Attachments 6 and 7, summarizing any issues and concerns raised and how these are being addressed. Please include any supporting documentation, i.e., email correspondence that is referenced.
- e) In updates to Attachment 6 and 7, please provide information on which Indigenous communities accepted and were provided capacity funding by Enbridge Gas to-date and describe the activities supported by the capacity funding that was provided.
- f) Please file a form of the Capacity Funding Agreement that was executed as part of the Indigenous consultation.
- g) Please advise if any Indigenous communities raised concerns with Enbridge Gas with respect to the capacity funding being offered and if so, how Enbridge Gas responded to such concerns.
- h) Please comment on any issues arising from the Project that could adversely impact constitutionally protected Aboriginal or treaty rights. Have any Indigenous communities identified any Aboriginal or treaty rights that could be adversely impacted by the Project? If any potential adverse impacts have been identified, please comment on what Enbridge Gas is doing to address these issues.
- i) Please provide a summary of all forms of accommodation that Enbridge Gas has committed and agreed to make or made to any of the consulted Indigenous communities in response to the concerns raised in the Indigenous consultation process for the Project to date.
- j) In addition to updates to Attachment 6 and Attachment 7, please provide a list of all in-person or virtual meetings with each Indigenous community (and/or their representatives) including the dates and locations of the meetings and an overview of the issues and agenda addressed in each meeting. Include any action or follow-up agreed upon to be taken by Enbridge Gas and/or Indigenous community.
- k) Please describe Enbridge Gas's plans for continuing engagement with the Indigenous communities. Which formats of communication will be used (e.g. virtual meetings, in-person meetings, phone calls, emails, etc.) and which information regarding project construction, operation, or any other aspect of the project will be conveyed?