



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

EB-2019-0159

**Enbridge Gas Inc.**

**Application to construct natural gas pipeline and associated  
facilities in the City of Hamilton**

**PROCEDURAL ORDER NO. 3**

**April 2, 2020**

Enbridge Gas Inc. (Enbridge Gas) filed an application with the Ontario Energy Board (OEB) pursuant to section 90(1) and 97 of the *Ontario Energy Board Act 1998, S.O. 1998, c.15 (Schedule B)* for leave to construct approximately 10.2 kilometres of 48-inch diameter natural gas transmission pipeline and associated facilities in the City of Hamilton. Enbridge Gas also applied for approval of the forms of easement agreements related to the construction of the proposed project.

In Procedural Order No. 2 and Decision on Issues List dated March 6, 2020, the OEB, among other things, ruled on intervention requests cost award eligibility and on the scope of the proceeding, which was further specified by the approved Issues List. A schedule of procedural steps was provided for parties to file interrogatories and for Enbridge Gas to respond to those interrogatories.

Procedural Order No. 2 also required intervenors to advise the OEB of their interest in filing evidence and to indicate which issues the evidence will address. Green Energy Coalition (GEC), Environmental Defence and Federation of Rental-housing Providers of Ontario (FRPO) indicated their intention to file intervenor evidence on certain issues in the approved Issues List.

The OEB finds that the nature of the planned intervenor evidence, as described by the intervenors who responded to the Procedural Order No. 2, is within the scope of the approved Issues List. The OEB finds it necessary to move to the next phase in the proceeding by allowing parties to file intervenor evidence and for discovery of such evidence through written interrogatories.

The OEB expects that intervenors filing evidence will ensure that the evidence is within the scope of the approved Issues List, and will coordinate their efforts to avoid duplication.

As the OEB continues to closely monitor the COVID-19 situation, any new developments that may affect the scheduling of the proceeding will be communicated to parties at that time.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

**IT IS THEREFORE ORDERED THAT:**

1. OEB staff and intervenors seeking to file evidence shall do so by submitting the evidence to the OEB, and provide a copy to Enbridge Gas and intervenors no later than **May 8, 2020**.
2. Any party seeking information and material on the evidence filed by OEB staff or an intervenor that is in addition to the evidence filed with the OEB, and that is relevant to this proceeding, shall do so by requesting written interrogatories to be filed with the OEB, and copy all parties by **May 22, 2020**.
3. Any party that receives interrogatories on their respective evidence shall file with the OEB complete responses to the interrogatories by **June 5, 2020**.

All materials filed with the OEB must quote the file number, EB-2019-0159, be made in a searchable/unrestricted PDF format and sent electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Filings must clearly state the sender's name, postal address and telephone number, fax number and email address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.oeb.ca/industry>. If the web portal is not available parties may email their documents to the address below.

**NOTE:** The OEB is temporarily waiving the paper copy filing requirement until further notice. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Ontario Energy Board

EB-2019-0159  
Enbridge Gas Inc.

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With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Zora Crnojacki at [Zora.Crnojacki@oeb.ca](mailto:Zora.Crnojacki@oeb.ca) and Board Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca).

**ADDRESS**

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**DATED** at Toronto, **April 2, 2020**

**ONTARIO ENERGY BOARD**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary