


Hamilton

# INFORMATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>COMMITTEE DATE:</b>	January 14, 2020
<b>SUBJECT/REPORT NO:</b>	Enbridge Gas Inc. Leave to Construct Application to the Ontario Energy Board for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal (Wards 13 and 15)
<b>WARD(S) AFFECTED:</b>	Wards 13 and 15
<b>SUBMITTED BY:</b>	Tony Sergi, Senior Director Growth Management Division Planning and Economic Development Department
<b>SIGNATURE:</b>	

On November 1<sup>st</sup>, 2019, Enbridge Gas Inc., (“Enbridge”) submitted a Leave to Construct Application related to the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal to the Ontario Energy Board (“OEB”), the Province’s energy regulator responsible for ensuring compliance with the Province’s environmental guidelines for the location, construction and operation of hydrocarbon pipelines and facilities in Ontario.

The proposed project will construct approximately 10.2 kilometres of Nominal Pipe Size (“NPS”) 48 natural gas pipeline from an interconnect at the Kirkwall Valve Site to the Hamilton Valve Site in the City of Hamilton.

Enbridge has also requested that the OEB determine that the Integrated Resource Planning (“IRP”) Proposal, to be reasonable and appropriate, as it relates to the Project and for application to future Enbridge projects. However, should a determination on the IRP not be completed by April 30<sup>th</sup>, 2020, Enbridge has requested that the OEB segregate the IRP Proposal for application to future Enbridge projects for review as a separate and distinct stand-alone application.

This is to ensure that Enbridge’s ability to complete construction of the proposed Project by fall of 2021 is not compromised.

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Subject to Provincial regulatory review and receipt of all permits, Enbridge expects this project to be in service as of November 1<sup>st</sup>, 2021. All 10.2 kilometres of the proposed project extends through the City of Hamilton, more specifically, Wards 13 and 15 (see attached Appendix "A").

**NOTICE OF APPLICATION:**

This Information Update is to advise Council that on January 6, 2020, the OEB issued the Notice of Application and the Letter of Direction for the proceeding. The deadline to become a "Registered Intervenor" is identified as January 20<sup>th</sup>, 2020.

Subsequently, the City of Hamilton was provided Notice of Application via email on January 7<sup>th</sup>, 2020, by Enbridge to the City Clerk and General Manager of Planning and Economic Development.

Due to the very limited timeline for a request to be a "Registered Intervenor", and in order to protect the City's ability to seek that status, staff have written to the OEB to request Registered Intervenor status. Status as a Registered Intervenor would allow for the municipality to submit evidence, arguments or interrogatories (written questions) or cross-examine a witness or witnesses at an oral hearing as it pertains to the impacts of this project to the City of Hamilton from the perspective of climate change; environmental; cultural/heritage resources; municipal infrastructure; social impacts; emergency responses; contingencies; and, other related issues.

Staff also asked to reserve the option to request an oral hearing at a future date. As per Section 3.05 (i) of the Ontario Energy Board, Practice Direction on Cost Awards, the City of Hamilton is not eligible and will not be requesting cost as a Registered Intervenor.

The Application has been circulated to the City's Pipeline Technical Advisory Team for review and comment by the OEB deadline of April 30<sup>th</sup>, 2020.

Municipal concerns relating to climate change, emergency response, natural and cultural heritage, municipal infrastructure - sourcewater protection and corridor management; social impacts; contingencies; and, other related issues, will be identified, and a Letter of Comment will be prepared for consideration by Council at a future meeting in April 2020, prior to submission to the OEB. At that future meeting, Council can also determine whether it wishes to continue with the Registered Intervenor status.

Ultimately, the OEB will hold a public written or oral hearing to consider Enbridge's Leave to Construct Application. As part of its review of this application, the OEB will

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assess Enbridge's compliance with the OEB's Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario.

The City's Letter of Comment, if submitted, will request that Enbridge advise on the acceptability and reasonableness of the comments and conditions submitted; which shall trigger a written response by Enbridge to the City and OEB. This Letter of Comment and subsequent responses will be considered at the hearing by the OEB.

The 2021 Dawn to Parkway Extension application and submissions related to the Leave to Construct Application and the Environmental Report will be available for download from Enbridge's project website at:

[www.uniongas.com/projects/kirkwall-hamilton](http://www.uniongas.com/projects/kirkwall-hamilton)

As well as on the OEB's regulatory applications page at:

[www.rds.oeb.ca/HPECMWebDrawer/Record?q=CaseNumber%3DEB-2019-0159&sortBy=recRegisteredOn-&pageSize=400](http://www.rds.oeb.ca/HPECMWebDrawer/Record?q=CaseNumber%3DEB-2019-0159&sortBy=recRegisteredOn-&pageSize=400)

Should you have any questions regarding this communication, please contact Alvin Chan, Manager, Staging of Development and Legislative Approvals, by phone at Ext. 2978 or by e-mail [Alvin.chan@hamilton.ca](mailto:Alvin.chan@hamilton.ca).

**APPENDICES AND SCHEDULES ATTACHED**

- Appendix "A" – Notice of Application Ontario Energy Board
- Appendix "B" – Location Map from Enbridge Gas Inc. Application

AC/GP/sd

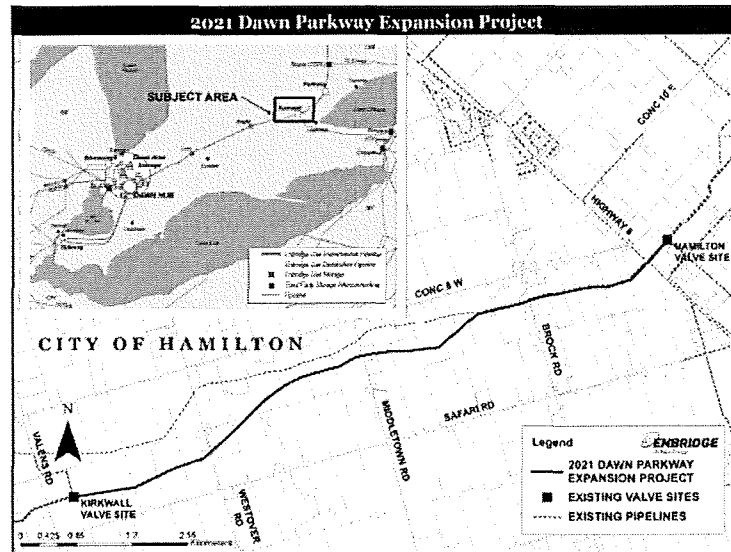
ONTARIO ENERGY BOARD NOTICE

**Enbridge Gas Inc. has applied to the Ontario Energy Board for approval to construct 10.2 kilometres of natural gas pipeline and associated facilities in the City of Hamilton.**

**Enbridge Gas Inc. has also applied the Ontario Energy Board for approval of its Integrated Resource Planning Proposal.**

**Learn more. Have your say.**

If the application is approved as filed, Enbridge Gas Inc. proposes to construct 10.2 kilometres of 48-inch diameter natural gas pipeline between the Kirkwall Valve Site and the Hamilton Valve Site, including associated facilities. A map showing the location of the proposed pipeline is below:



Enbridge Gas Inc. is also asking the Ontario Energy Board to approve the form of agreement it offers to landowners to use their land for routing or construction of the proposed pipeline and associated facilities. Enbridge Gas Inc. says that the pipeline is needed to increase transportation capacity on the Dawn Parkway System. Enbridge Gas Inc. has also applied to the Ontario Energy Board for approval of its Integrated Resource Planning Proposal, as it applies to the proposed project and future projects. Enbridge Gas Inc. says that its Proposal will allow the Ontario Energy Board to better assess future projects. Please review the application carefully for a complete list of approvals and to determine whether you will be affected.

**THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING**

The Ontario Energy Board (OEB) will hold a public hearing to consider the application filed by Enbridge Gas. During this hearing, we will question Enbridge Gas and hear questions and arguments from participants (Intervenors) who have registered to participate in the hearing. At the end of this hearing, the OEB will decide whether to approve the application.

As part of its review of this application, the OEB will assess Enbridge Gas' compliance with the OEB's Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario.

**The OEB will also assess whether the duty to consult with Indigenous Communities potentially affected by the proposed pipeline has been discharged with respect to the application.**

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

**BE INFORMED AND HAVE YOUR SAY**

You have the right to information regarding this application and to be involved in the process.

- You can review the application filed by Enbridge Gas on the OEB's website now.
- You can file a letter with your comments, which will be considered during the hearing.
- You can become an active participant (called an intervenor). As an intervenor, you can ask questions about Enbridge Gas' application and make arguments on whether the OEB should approve Enbridge Gas' request. Apply by **January 20, 2020** or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- At the end of the process, you can review the OEB's decision and its reasons on our website.

**LEARN MORE**

Our file number for this case is **EB-2019-0159**. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case, please select the file number **EB-2019-0159** from the list on the OEB website: <http://www.oeb.ca/noticetlc>. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

**ORAL VS. WRITTEN HEARINGS**

There are two types of OEB hearings – oral and written. Enbridge Gas has applied for a written hearing. The OEB is considering this request. If you think an oral hearing is needed, you can write to the OEB to explain why by **January 20, 2020**.

**PRIVACY**

*If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and email address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.*

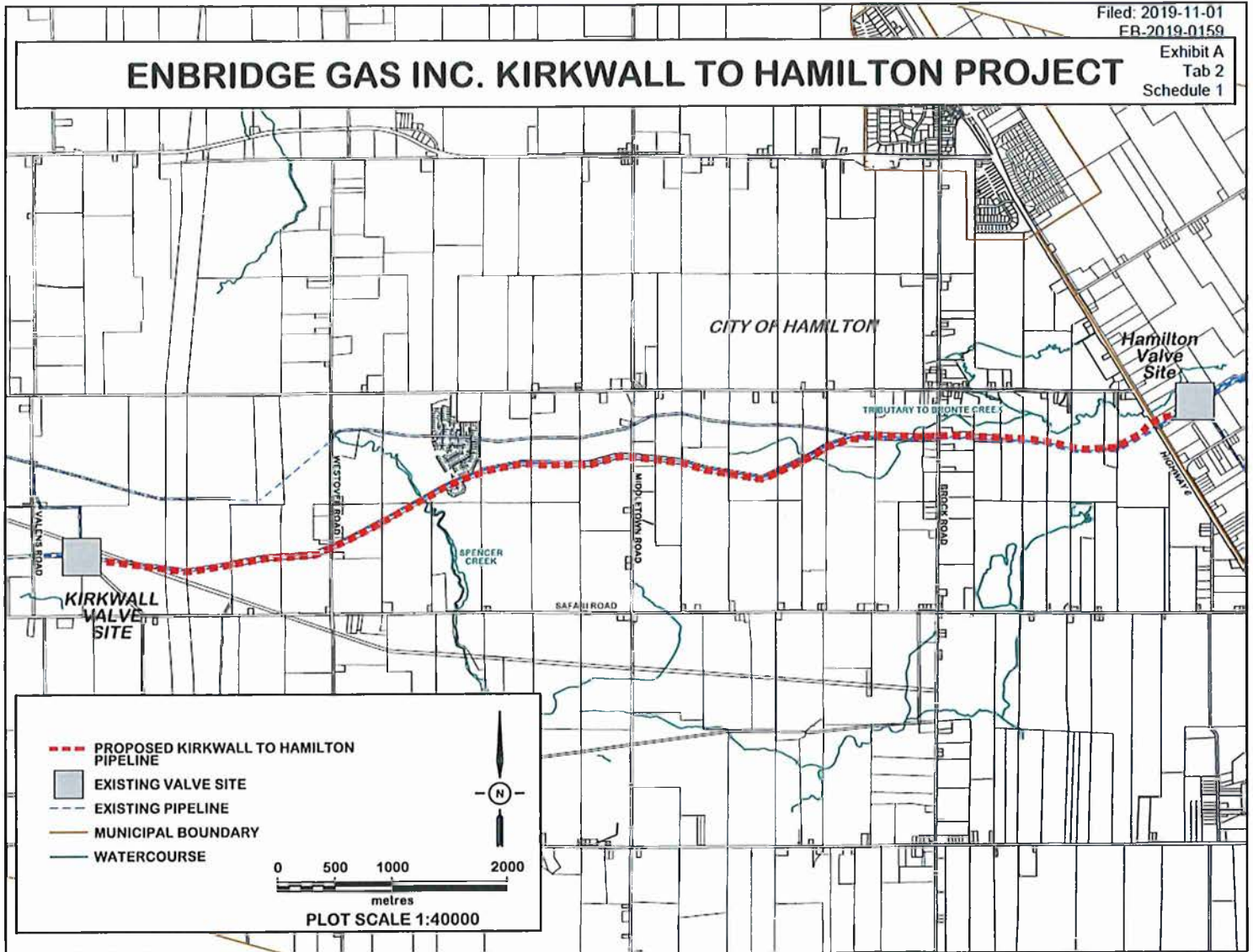
*This hearing will be held under sections 90(1) and 97 of the Ontario Energy Board Act, 1998, S.O. 1998, c.15 (Schedule B).*



Filed: 2019-11-01  
EB-2019-0159

Exhibit A  
Tab 2  
Schedule 1

# ENBRIDGE GAS INC. KIRKWALL TO HAMILTON PROJECT



REV A