



BY EMAIL

April 3, 2024

TO: All Natural Gas Distributors

**RE: Natural Gas Facilities Handbook (Appendix D) and Standard Issues List (Schedule 1)
Minor Modifications to the Standard Conditions of Approval - Natural Gas Leave to Construct Applications**

The Ontario Energy Board (OEB) has developed standard conditions of approval¹ that are typically attached to the OEB's decisions approving natural gas leave to construct applications. The purpose of this letter is to communicate minor revisions to the conditions that address the timing of the commencement and conclusion of projects that involve multiple segments.

Condition 2(b) requires an applicant to provide written notification to the OEB:

- i. of the commencement of construction, at least 10 days prior to the date construction commences
- ii. of the planned in-service date, at least 10 days prior to the date the facilities go into service
- iii. of the date on which construction was completed, no later than 10 days following the completion of construction
- iv. of the in-service date, no later than 10 days after the facilities go into service

Condition 7(a) requires an applicant to provide a post-construction report within three months of the in-service date and Condition 7(b) requires an applicant to provide a final monitoring report no later than fifteen months after the in-service date.

¹ See [Natural Gas Facilities Handbook](#), Appendix D and [Natural Gas Standard Issues List](#), Schedule 1

In a letter providing notification to the OEB of the planned in-service date for a recently approved project², Enbridge Gas advised that the facilities are planned to begin going into service on January 22, 2024, with segments of natural gas pipeline continuing to be installed after this date and expects all facilities to be installed and in-service by June 2024. Enbridge Gas stated that after all facilities are installed and in-service, it will notify the OEB of the full project in-service date within 10 days and will file a post construction report within 3 months to satisfy Condition 7(a).

The OEB notes that the Standard Conditions of Approval do not make clear the expectations if a project includes multiple segments that start and go in-service at different dates. The OEB is therefore making minor revisions (underlined in Appendix A to this letter) to Conditions 2(b)(ii) and (iv), 7(a), and 7(b) to better reflect the intent of those conditions.

The OEB has revised Appendix D of the Natural Gas Facilities Handbook and Schedule 1 of the Standard Issues List to reflect the above noted updates. No other changes have been made to either the Handbook or the Issues List.

Any questions relating to this letter should be directed to Judith Fernandes, Senior Advisor, at 416-440-7638 or at judith.fernandes@oeb.ca.

Yours truly,

Nancy Marconi
Registrar

² Enbridge Gas Mohawks of the Bay of Quinte Community Expansion Project (EB-2022-0248)

APPENDIX A

Natural Gas Leave to Construct Applications Standard Conditions of Approval

1. [The Applicant] shall construct the facilities and restore the land in accordance with the OEB's Decision and Order in [insert OEB File No.] and these Conditions of Approval.
2. (a) Authorization for leave to construct shall terminate 12 months after the decision is issued, unless construction has commenced prior to that date.

(b) [The Applicant] shall give the OEB notice in writing:
 - i. of the commencement of construction, at least 10 days prior to the date construction commences
 - ii. of the planned in-service start date, at least 10 days prior to the date the facilities begin to go into service
 - iii. of the date on which construction was completed, no later than 10 days following the completion of construction
 - iv. of the full project in-service date, no later than 10 days after all the facilities go into service
3. [The Applicant] shall obtain all necessary approvals, permits, licences, certificates, agreements and rights required to construct, operate and maintain the Project.
4. [The Applicant] 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.
5. [The Applicant] shall advise the OEB of any proposed change to OEB-approved construction or restoration procedures. Except in an emergency, [the Applicant] shall not make any such change without prior notice to and written approval of the OEB. In the event of an emergency, the OEB shall be informed immediately after the fact.
6. Concurrent with the final monitoring report referred to in Condition 7(b), [the Applicant] shall file a Post Construction Financial Report, which shall provide a variance analysis of project cost, schedule and scope compared to the estimates filed in this proceeding, including the extent to which the project contingency was utilized. [The Applicant] shall also file a copy of the Post Construction Financial Report in the proceeding where the actual capital costs of the project are proposed to be included in rate base or any proceeding where [the Applicant] proposes to start collecting revenues associated with the Project, whichever is earlier.
7. Both during and after construction, [the Applicant] shall monitor the impacts of construction, and shall file with the OEB one electronic (searchable PDF) version of each of the following reports:

(a) A post construction report, within three months of the full project in-service date, which shall:

- i. provide a certification, by a senior executive of the company, of [the Applicant's] adherence to Condition 1
- ii. describe any impacts and outstanding concerns identified during construction
- iii. describe the actions taken or planned to be taken to prevent or mitigate any identified impacts of construction
- iv. include a log of all complaints received by [the Applicant], including the date/time the complaint was received, a description of the complaint, any actions taken to address the complaint, the rationale for taking such actions
- v. provide a certification, by a senior executive of the company, that the company has obtained all other approvals, permits, licenses, and certificates required to construct, operate, and maintain the proposed project

(b) A final monitoring report, no later than fifteen months after the full project in-service date, or, where the deadline falls between December 1 and May 31, the following June 1, which shall:

- i. provide a certification, by a senior executive of the company, of [the Applicant's] adherence to Condition 4
- ii. describe the condition of any rehabilitated land
- iii. describe the effectiveness of any actions taken to prevent or mitigate any identified impacts of construction
- iv. include the results of analyses and monitoring programs and any recommendations arising therefrom
- v. include a log of all complaints received by [the Applicant], including the date/time the complaint was received; a description of the complaint; any actions taken to address the complaint; and the rationale for taking such actions

8. [The Applicant] shall designate one of their employees as project manager who will be the point of contact for these conditions, and shall provide the employee's name and contact information to the OEB and to all affected landowners, and shall clearly post the project manager's contact information in a prominent place at the construction site.