



BY E-MAIL

February 3, 2022

**To: Enbridge Gas Inc.
EPCOR Natural Gas Limited Partnership
Chiefs of Ontario
Association of Municipalities of Ontario
School Energy Coalition
Federation of Rental-Housing Providers of Ontario
Environmental Defence**

**RE: Natural Gas Facilities Handbook (DRAFT) – Invitation to Comment
Ontario Energy Board: EB-2022-0081**

Ontario Energy Board (OEB) staff invites you to comment on a draft Natural Gas Facilities Handbook (Handbook). A copy of the draft Handbook is attached.

As part of its path to modernization, the OEB has committed to improvements that achieve predictable and efficient regulatory processes and process improvements. To enhance the timeliness and efficiency of natural gas facilities proceedings, the OEB has prepared a draft Handbook that will provide guidance related to the following application types:

1. Under the [Municipal Franchises Act](#)
 - a. Section 8, Certificate of Public Convenience and Necessity Applications
 - b. Sections 9 and 10, Municipal Franchise Agreement Applications
2. Under the [Ontario Energy Board Act](#)
 - a. Section 38, Designated Storage Area Applications
 - b. Section 40, DSA Well Drilling Licence Application Referrals
 - c. Section 90 and 91, Leave to Construct Applications
 - d. Section 95, Exemption from the Requirements of Section 90 Applications
 - e. Section 99, Expropriation Applications related to Leave to Construct Approvals

The Handbook is based on the current legislative and OEB policy frameworks, general current practices, and expectations around filing requirements to the extent that are in place today. The Handbook is intended however to be a living document that may be updated over time as circumstances warrant.

Written Comments

Written comments may be emailed to the Case Manager, Ritchie Murray at ritchie.murray@oeb.ca no later than 4:45 p.m. on **February 17, 2022**.

The draft Handbook largely reflects current OEB practices or requirements that have been developed over time through OEB decisions on the application types covered by the Handbook. In that context, the OEB is seeking comments from a representative group of stakeholders. In addition, comments focussed on the accuracy and clarity of the draft Handbook would be particularly helpful. As the OEB wishes to issue the Handbook in the near term to assist applicants and other interested stakeholders, and since the Handbook is intended to be a living document, the OEB does not intend to materially expand the scope of the Handbook at this time or to implement material changes to existing practices, but may do so in the future if circumstances warrant.

Filings should clearly state the sender's name, postal address, telephone number and e-mail address.

Participants are responsible for ensuring that any documents they file with the OEB 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](#).

Cost Awards

Cost awards will be available for the following stakeholders under section 30 of the *Ontario Energy Board Act, 1998*:

- Chiefs of Ontario
- Association of Municipalities of Ontario¹
- School Energy Coalition
- Federation of Rental-Housing Providers of Ontario
- Environmental Defence

Up to eight hours may be claimed for reviewing the Handbook and preparing and submitting written comments. Costs awarded will be recovered from Enbridge Gas Inc. (Enbridge Gas) and EPCOR Natural Gas Limited Partnership (ENGLP) based on their respective customer numbers.

¹ Although municipalities are typically not eligible for cost awards, they are directly impacted by many of the application types described in the Handbook, and the OEB believes this creates special circumstances warranting eligibility for a limited award of costs.

Any person seeking a cost award shall file with the OEB and forward to Enbridge Gas and ENGLP its cost claim in accordance with the OEB's [Practice Direction on Cost Awards](#) on or before **February 24, 2022**. The maximum hourly rates set out in the OEB's Cost Award Tariff will be applied. Any cost claims must quote file number EB-2022-0081, have a digital signature, and be filed through the OEB's online filing portal. Those who have not yet [set up an account](#), or require assistance can contact registrar@oeb.ca.

If Enbridge Gas or ENGLP have any objections to any of the filed cost claims, such objections must be filed with the OEB by **March 3, 2022**. Any party whose cost claim was objected to will have until **March 10, 2022** to make a reply submission as to why the cost claim should be allowed. Enbridge Gas and EPCOR shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

As set out in section 12 of its *Practice Direction on Cost Awards*, the OEB will act as a clearing house for all payments.

DATED at Toronto, February 3, 2022

ONTARIO ENERGY BOARD



Theodore Antonopoulos
Vice President, Applications

Encl.