

Tribute Energy Storage Inc.

**Application for an order to revoke the designation of the
natural gas storage areas known as the Bayfield Pool
and Stanley 4-7-XI Pool, in the County of Huron**

**PROCEDURAL ORDER NO. 1
February 13, 2020**

Tribute Energy Storage Inc. (TESI) applied to the Ontario Energy Board (OEB) on November 28, 2019 under section 36.1(1)(b) of the *Ontario Energy Board Act, 1998* (the Act) for an order revoking the designation of the natural gas storage areas known as Bayfield Pool (Bayfield) and Stanley 4-7-XI Pool (Stanley), located in the County of Huron.

In 2012, the OEB designated the Bayfield and Stanley pools as gas storage areas pursuant to section 36.1(1)(a) of the Act.¹ TESI states that the storage pools were not developed as natural gas storage facilities as originally planned and are unlikely to be developed for this use and therefore are no longer needed to be designated as gas storage areas. TESI now plans to develop the pools as compressed air energy storage facilities.

A Notice of Hearing was issued on January 9, 2020. By letter dated January 10, 2020, the OEB directed TESI to conduct a title search and to serve the notice and the application on the parties identified through the title search. By letter dated February 10, 2020, TESI informed the OEB that it had completed the title search and had not been able to serve five parties because of incomplete or unknown addresses. By e-mail dated February 12, 2020, TESI informed the OEB that it will continue to make attempts to serve the noted parties and requested that the OEB proceed with issuing its Procedural Order. The OEB has decided to proceed with the hearing. However the OEB requires that TESI file a letter with the OEB by February 21, 2020, advising the OEB if it has been successful in serving the noted parties. Should the OEB receive any requests for late intervener status it will consider the requests at that time.

Huron County Federation of Agriculture (HCFA) applied for intervenor status and cost eligibility. In its letter of intervention HCFA states that it was an intervenor in the earlier

¹ EB-2011-0076/EB-2011-0077/EB-2011-0078, Decision issued December 21, 2012.

designation proceeding and wishes to participate in the current proceeding “to maintain being fully informed regarding the usage of the storage areas involved.” HCFA further states that although it does not have a “stance on the future use of the locations”, its involvement in the proceeding will allow it to address any concerns on its members located near the pools and in Huron County.

No objection was received from TESI.

The OEB is satisfied that HCFA has a “substantial interest” in the proceeding within the meaning of Rule 22.02 of the *Rules of Practice and Procedure*. Therefore, HCFA is approved as an intervenor and is eligible to apply for an award of costs under the OEB’s [Practice Direction on Cost Awards](#). However, HCFA is reminded that the scope of this proceeding is limited to the consideration of issues related to the request to revoke the storage designation. The OEB’s mandate does not extend to consideration of issues related to the use of the facilities as compressed air energy storage facilities following the revocation of the designation, if granted. In making its decision on cost awards, the OEB will consider whether cost eligible intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues and in keeping with the scope of the OEB’s review.

The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

The OEB did not receive any requests to hold an oral hearing in this case. Accordingly, the OEB intends to proceed with a written hearing.

The OEB finds it 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 shall request any relevant information and documentation from TESI that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **February 27, 2020**.
2. TESI shall file with the OEB complete written responses to all interrogatories and serve them on intervenors by **March 6, 2020**.
3. Any written submissions by OEB staff and intervenors shall be filed with the OEB and served on all parties by **March 13, 2020**.

4. Any written reply submissions by TESI shall be filed with the OEB and served on intervenors by **March 23, 2020**.

All filings to the OEB must quote the file number, **EB-2019-0287**, be made in searchable/unrestricted PDF format electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.oeb.ca/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have computer access are required to file seven paper copies.

All communications should be directed to the attention of the Registrar at the address below, and be received no later than 4:45 p.m. on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Judith Fernandes at Judith.Fernandes@oeb.ca and OEB Counsel, Ian Richler at Ian.Richler@oeb.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
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Email: boardsec@oeb.ca
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Fax: 416-440-7656

DATED at Toronto, **February 13, 2020**

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original signed by

Christine E. Long
Registrar and Board Secretary

SCHEDULE A

PROCEDURAL ORDER NO. 1

TRIBUTE ENERGY STORAGE INC.

EB-2019-0287

FEBRUARY 13, 2020

APPLICANT AND LIST OF INTERVENORS

**Tribute Energy Storage Inc.
EB-2019-0287**

APPLICANT & LIST OF INTERVENORS

February 13, 2020

APPLICANT

Rep. and Address for Service

Tribute Energy Storage Inc.

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INTERVENORS

Rep. and Address for Service

**Huron County Federation of
Agriculture**

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