



any mixture thereof, but not natural gas liquids or refined petroleum products. Different type of crude are transported in separate batches. Synthetic crude may be transported in Enbridge lines as it is a type of light liquid petroleum. There are many producers and shippers in western Canada and in the Williston Basin area of the United States (North Dakota, South Dakota, Wyoming, and Montana) that may utilize Enbridge facilities, including the Extension Pipeline, to transport various types of liquid crude petroleum. Many Canadian producers are members of the Canadian Association of Petroleum Producers (see [www.capp.ca](http://www.capp.ca) for lists of members). Liquid crude petroleum carried by Enbridge pipelines comes from western Canada and the Williston Basin area of the United States as well as other U.S. sources. Upgrading is a process of changing the value of crude petroleum from one type of crude petroleum to another by separating the various components through distillation. Crude petroleum is upgraded in Canada and the United States. The Southern Access Extension pipeline does not have any contracted capacity commitments; as an open-access, common-carrier pipeline it will accept capacity nominations from shippers for transport of liquid crude petroleum that meets the tariff conditions. The precise type of crude petroleum to be carried or the shippers thereof cannot be known until the monthly nominations are presented and accepted. The Extension Pipeline will carry any liquid crude petroleum allowable pursuant to Enbridge's tariff; the referenced Illinois statutory definition is inapplicable and irrelevant.

Request No. 2(a) - (c): Identify with specificity the producers and/or shippers of the product intended for the pipe, including:

- a. Name of Company
- b. Country of origin
- c. Volume of product this company intends to transport in pipe

Response to Request No. 2(a) - (c): See response to 1(a) - (i)above.

Request No. 3: Please identify and describe in detail any foreign countries that hold an ownership interest in any of the companies intending to ship product through the pipe.

Response to Request No. 3: Enbridge has no knowledge of such ownership.

Request No. 8: Is there any process in place that will prevent producers from transporting the pipe product or refined byproducts derived from the pipe product out of the United States?

Response to Request No. 8: Enbridge has no such information.

Request No. 18: Please state whether or not Enbridge, Inc or its affiliates have shareholders who include any of the following, and if so describe specific amounts owned:

- a. public institution of higher education or municipal corporation of this State
- b. political subdivision

Response to Request No. 18: Enbridge is a publicly traded company in both Canada and the United States. Its shareholders include numerous retail and institutional investors and include many foundations, pension funds, mutual funds, investment funds, etc., none of which holds more than a 10% interest. It does not have lists of all individual shareholders. Thus Enbridge is unaware of any ownership interest in any Enbridge entity by any public Illinois college or university or any Illinois municipal corporation or political subdivision.

Request No. 20: Please describe whether Enbridge will remove the pipe from the property of landowners after its useful life and describe any guarantees landowners will have that Enbridge or its assignees will actually remove the pipe.

Response to Request No. 20: Enbridge has not yet formulated such plans for the Extension pipeline.

Request No. 21: Please describe plans to clean up or remove the existing pipeline that Enbridge now alleges it owns (old Texas Empire Pipeline easement from 1939) along the proposed path of the new pipeline, including plans to remove contaminated soil, if any.

Response to Request No. 21: Enbridge has not yet finalized plans regarding the treatment of the existing pipeline. Enbridge denies all allegations regarding "contamination," etc.

Request No. 26: 42 CFR 195 requires annual reports for pipelines. Landowners in the path of the proposed pipeline allege the old pipeline that is in the path of the proposed pipeline has not been maintained. Landowners allege the pipe is corroded and has eroded up out of the ground. Landowners allege the pipe is not buried to the depths required by 49 CFR 195.248. Landowners allege the pipe contains numerous holes and is now leaking substance out of the ground into the surrounding soil and local watershed systems. Please provide copies of all the annual reports, cathodic testing records and all maintenance records for the past five years for the pipeline which Enbridge alleges it acquired in 2006 from Central Illinois Pipeline Company (CIPC) or any other pipeline on the property it alleges to now hold easements for.

Response to Request No. 26: Enbridge has no such records for the timeframe. The existing pipeline has been inactive/idle for the specified period. No annual reports are required for a pipeline in that status and none are required for pipelines used to transport fluids not within the ambit of federal regulations.

Request No. 27: Landowners in the path of the proposed pipeline allege the old pipeline that is in the path of the proposed new pipeline has not been maintained. A legal action was filed by intervenor Carlisle Kelly in DeWitt County Circuit Court requesting the court to determine whether Enbridge holds a valid easement to the property in question. Enbridge has transferred the case to federal court, based on a diversity claim. The case (3-07-cv-3245) is now pending before the U.S. District Court, Central District in Springfield, IL. Landowners allege the pipe is corroded and has eroded up out of the ground. Landowners allege the pipe is not buried to the depths required by 49 CFR 195.248 and has not been maintained. We have attached copies of a letter sent to the Office of Pipeline Safety in Kansas City, Missouri with accompanying exhibits. Please respond as to whether the pipeline referred to in the letter sent to the Office of Pipeline Safety and in the accompanying exhibits is now owned by Enbridge.

Response to Request No. 27: See Response to Request No. 26. Enbridge does not know what pipeline the letter refers to; the letter does not state.

Request No. 29: Please provide a detailed explanation as to whether or not Enbridge will remove the "inactive" pipeline that it allegedly acquired from CIPC or any other pipeline that exists in the pathway of the proposed pipeline. If Enbridge has plans to remove the old pipeline, please provide details of those plans including a timeline.

Response to Request No. 29: See Response to Request No. 21.

Request No. 30: If Enbridge does not plan to remove the old "inactive" pipeline that it alleges to now own, please provide a detailed corrective action plan including the steps it will take to clean up or other wise maintain this "inactive" line so it does not further harm the environment.

Response to No. 30: See Response to Request No. 21.

Request No. 35: In Wisconsin, many landowners are allegedly upset with Enbridge because of the Southern Access expansion project. Landowners allegedly have commented that Enbridge used the terms of an old easement from 1969 to coerce and threaten them into accepting fair market value for the easements. In essence, these landowners allege Enbridge threatened to only pay a small portion of the fair market value of the land, citing language in the 1969 easement that allowed a second pipeline for the payment price of \$450/acre. Numerous landowners have commented about a fear or threat that Enbridge might try a similar tactic in Illinois with this project, and try to argue Enbridge could build another second pipeline for payment of forty dollars (\$40.00). Does Enbridge intend to tell landowners in the path of the pipeline that it can take their land for payment of an additional forty (\$40.00) dollars? Has Enbridge threatened or told landowners that it has authority to take their land pursuant to the 1939 easement, which is now at the center of a dispute in federal court? See attached easement from 1939.

Response to Request No. 35:<sup>1</sup> Enbridge has no intention of telling anyone that it (Enbridge) could or would make payments of only "an additional forty (\$40.00) dollars." Enbridge has not threatened anyone with anything and denies all the allegations made about Wisconsin matters.

Request No. 36: The 1939 easement (attached) contains language stating Texas-Empire Pipeline Company, its successors and its assigns could hold the easement so long as the pipe line and other structures are maintained. Has the pipeline running through the property of the landowners been maintained by Enbridge or the previous pipeline company? If Enbridge believes the pipeline has been maintained, will Enbridge maintain its proposed new pipeline in the same fashion as the pipeline which now exists on the landowners property?

Response to Request No. 36: As to question one, Yes. As to question two, Enbridge will operate, maintain, repair, replace, patrol, inspect, etc. the Extension Pipeline in accord with all federal requirements and industry standards and practices applicable to such a line.

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<sup>1</sup> As Request No. 33 was answered, it is assumed that the order meant to deny Request No. 34 and require an answer regarding Enbridge's "intentions" per Request No. 35.

## Responses to 11/6/07 Requests

Request No. 1: some news agencies report that China has made, and is making, significant investments in Canadian tar sands reserves. (See Exhibit 1, Oct. 16, 2007, Alberta Seeks Chinese Investment). Will China's three oil giants, Sinopec, The China National Petroleum Corporation (CNP) and China National Offshore Oil Corporation (CNOOC) transport any petroleum byproduct in the proposed pipeline?

Request No. 2: some news agencies report that China National Offshore Oil Corporation (CNOOC) holds a significant ownership in Canada's MEG Energy Corp. Other reports suggest China Petrochemical Corp. purchased a forty percent (40%) stake in Canada's Northern Lights tar sands project with Synenco Energy Inc. (Please see Exhibit 2) Will MEG Energy Corp. or Synenco Energy Inc. transport and [sic] petroleum byproduct in the proposed pipeline?

Responses to Request Nos. 1 & 2: Enbridge has no information on these assertions.

Request No. 4: ... What type of discussions has Enbridge, Inc. had with Chinese officials about transportation of petroleum products and by-products through the proposed pipeline?

Response to Request No. 4 (2<sup>nd</sup> sentence): None.

Request No. 6: ... Now that the Gateway project has fallen through for the time being, will petroleum exports to China occur via the Southern Access project being proposed at the Illinois Commerce Commission?

Response to Request No. 6 (2<sup>nd</sup> sentence): Not to Enbridge's knowledge.

Request No. 7: News reports in the past alleged that China was offered a significant investment interest in a pipeline being developed by Enbridge. See Exhibit 4A. Does Enbridge have any plans to offer any foreign country or foreign investor an investment interest or equity stake in the proposed pipeline project now pending before the ICC?

Response to Request No. 7 (1<sup>st</sup> question): No.

Request No. 27: Does Enbridge plan to dig up and remove the old Texas Empire Pipeline that runs through Central and Southern Illinois and which has not been functional for many years? How does Enbridge plan to restore the environmental damage caused by the old Texas Empire Pipeline? Will landowners be compensated by Enbridge for the environmental damaged caused by the old Texas Empire Pipeline?

Response to Request No. 27: Enbridge has not yet formulated any such plans; Enbridge denies all the assertions and accusations in this request.

## Responses to 11/8/07 Requests

Request No. 7: If the pipeline product or its end-products are transported to Cushing, Oklahoma and stored in tanks owned by Enbridge in that community, are the owners of the product or end-products able to trade those commodities on the world market.

Response to Request No. 7: As noted in previous responses, the Extension Pipeline will not move anything to Cushing, Oklahoma.

Request No. 8: Enbridge maps of the proposed pipeline dated 4/27/07 (See Exhibit 2, attached) show three pipelines or pipeline easements: A pipeline referenced as "Magelian (sic) pipeline", a pipeline referenced as "Southern Access 36" pipeline", and another un-labeled pipeline which the map legend references as "surveyed proposed pipeline". Please explain what these three pipelines or proposed pipelines are and what they constitute.

Response to Request No. 8: One is the CIPC existing line; the other two are possible routes Enbridge initially considered. The map is a planning document and does not represent the route proposed in the Application.

Request No. 9: Enbridge alleges to have purchased an old pipeline easement from Central Illinois Pipeline (See Exhibit 3, attached). Will the new proposed pipeline be laid out within the existing right-of-way of the old Central Illinois Pipeline Company easement through the entire length of the old easement? If the proposed pipeline will not be laid entirely within the existing old right-of-way easement, please explain with specificity where and the approximate length or distance the proposed pipeline will not run within the old Central Illinois Pipeline Company easement.

Response to Request No. 9: These matters have not yet been determined; negotiations with landowners are necessary. Moreover, Enbridge merged with Central Illinois Pipeline Company. It did not "purchase an old easement."

Request No. 10: If Enbridge plans to build the new pipeline outside the right-of-way of the old Central Illinois Pipeline, does this mean landowners will then have two pipelines running through their property, the old Central Illinois Pipeline and the new pipeline?

Response to Request No. 10: This depends upon negotiations with specific landowners.

Request No. 11: Enbridge has responded to an ICC Staff inquiry about multiple pipelines stating, "In some cases, this may result in a property containing two pipelines but the right-of-way for the existing line is already in place." (See Exhibit 3, attached). Please explain how many tracts of land or landowners will have two pipelines on their property.

Response to Request No. 11: See Response to Requests Nos. 9 and 10.

Request No. 12: Please explain how many tracts of land and how many landowners will have two separate pipelines running through their land on two separate, non-overlapping right-of-ways.

Response to Request No. 12: See Response to Request No. 10

Request No. 13: Please explain whether the existing pipeline referred to as the old Central Illinois Pipeline currently is in active operation or is used as a pipeline. If it is not currently used, please state when it was last used.

Response to Request No. 13: The line is currently inactive or idle (as stated in the Application filed in August 7, 2007). It is unclear when the line was last in active service, although it was some years ago.

