



File OF-Fac-Gas-N081-2019-02 02
26 August 2019

To: All Participants GH-002-2019

**NOVA Gas Transmission Ltd. (NGTL)
North Corridor Expansion Project (Application)
Application under section 52 of the National Energy Board Act (NEB Act)
Comments filed on hearing process, preliminary List of Issues and Factors and
Scope of Factors for the Environmental Assessment
Hearing Order GH-002-2019 and Completeness Determination**

This letter sets out the National Energy Board (Board or NEB) response to the comments filed by interested parties in relation to the hearing process, Preliminary List of Issues and the Factors and Scope of Factors for the Board's Environmental Assessment and its decisions on them. Hearing Order GH-002-2019 is also attached. The Board has also provided a decision on the completeness of the Application.

A. Background

On 4 April 2019, the National Energy Board received the Application ([A98641](#)). NGTL is proposing to construct approximately 81 kilometers of new pipeline, in three sections, and to add a new compressor station unit addition in the Northwest of Alberta. NGTL indicates that the Project is needed to move natural gas from the Peace River Project Area to growing markets in Alberta.

On 31 May 2019, the Board issued a Notice of Public Hearing (Notice) ([A99730](#)). The Notice opened the Application to Participate (ATP) period from 10 June to 5 July 2019. The Notice sought comments from NGTL as well as interested parties on the Preliminary List of Issues (LoI), Factors and Scope of Factors for the Board's Environmental Assessment (Factors), pursuant to the *Canadian Environmental Assessment Act, 2012*, and the hearing process, by no later than 5 July 2019. Interested parties were requested to provide comments either within their ATP form or through a separate filing. NGTL was provided an opportunity to comment by 10 June 2019 and to reply to any comments filed by 12 July 2019. The Notice indicated that the Board was considering conducting all hearing process steps in writing, other than the sharing of oral Indigenous knowledge, should Indigenous Intervenors wish to provide oral Indigenous knowledge. The Notice also provided a Potential Timetable of Events for comment.

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B. Comments Received

On 10 June 2019, NGTL filed comments with the Board with respect to the proposed hearing process, Preliminary LoI and the Factors ([A99861](#)). The Board also received a filing from ConocoPhillips on 2 July 2019 ([C00231](#)) concerning the same matters. Both filings supported the Board's proposed written hearing process, the Preliminary LoI and the Factors. NGTL filed its reply to any of the comments received on 12 July 2019 and indicated it had no reply comment ([C00464](#)).

C. Comments Received within ATP Forms

The Board received comments related to the above matters within the ATP forms of applicants to participate, including a number of Indigenous groups.

The comments received from the Indigenous groups included a desire to propose mitigation/avoidance measures, file evidence – including traditional knowledge – and to share such knowledge with the Board and to comment on any proposed conditions the Board would impose on NGTL. The Indigenous groups also raised concerns that construction and operation of the Project could impact their traditional territory (e.g., noise pollution, impacts on the environment, wildlife, plants and/or fish, accidents and malfunctions such as a pipeline rupture, etc.), ability to exercise treaty rights such as traditional and current activities (e.g., hunting, fishing, cultural and spiritual practices), and further cumulative impacts.

Comments from other applicants to participate were more focused on the commercial aspects of the Project and the need for the Project.

The Board notes that the comments filed support the proposed hearing process floated for comment through the Board's Notice. At any time, should Participants have concerns with respect to the Timetable of Events or the hearing process, they may file a Notice of Motion with the Board or the Canada Energy Regulator (CER). Please refer to sections 4.4 and 4.5 of the Hearing Order for information on how to file a Notice of Motion.

D. Hearing Order GH-002-2019

The Board has issued the attached Hearing Order GH-002-2019. The Hearing Order outlines the procedural steps that will be undertaken for the GH-002-2019 proceeding, with an attached LoI, Factors and a Timetable of Events. Should the Board subsequently make any changes to the Timetable of Events, these will be communicated through a Procedural Update.

For proceeding GH-002-2019 the Board is confirming that the hearing process will be in writing, except for the opportunity to share oral Indigenous knowledge. This process is set out in the Hearing Order, in Appendix VI – Timetable of Events.

The Board has provided Intervenors an opportunity to question the company through two rounds of written Information Requests (IR) and the option to provide written evidence.

Indigenous groups will be provided an opportunity to share oral Indigenous knowledge, should they choose to do so. Further information will be provided through a Procedural Update with respect to the sharing of oral Indigenous knowledge.

The Board has also included opportunities for Intervenor to provide written final argument, as well as an opportunity to provide written comments on any proposed conditions.

E. Decision with respect to Completeness of the Applications

The Board has determined that the Application is complete and may proceed through the assessment process.

The Chair has specified that, under subsection 52(4) of the NEB Act, the time limit for the Board to prepare and issue a report recommending whether to issue a Certificate or not, and under what conditions, is 15 months from the date this letter was issued (which will correspond to 26 November 2020). The time limit represents the maximum time in which the Board will complete its assessment, subject to any extension allowed under the NEB Act.

F. The Board's transition to the Canada Energy Regulator

On 28 August 2019, the Board will transition to the CER, who will continue to consider this Application pursuant to the NEB Act. The Board notes that this transition may result in some uncertainty to the hearing process, such as a change to the Panel assigned to adjudicate on the Application.

The Hearing Order sets deadlines for IRs from Intervenor to NGTL (during the fall months), Intervenor written evidence and sharing of oral Indigenous knowledge (only for Indigenous Intervenor). This will allow the hearing process to commence while the Board transitions to the CER, while also providing certainty to participants in terms of events and deadlines, and to the company in terms of timing of a Report. Deadlines for these Events are provided in the Hearing Order.

The Board has also provided an opportunity for Intervenor to comment on proposed conditions and to provide final argument. These are all hearing process events that were noted as desired in the comments received/ATP forms, and that were also floated for comment through the Board's Notice. No deadline for these events has been provided in the Hearing Order. Deadlines for these events will be determined in the future and communicated through Procedural Updates.

At any time, should Participants have concerns with respect to the Timetable of Events or the hearing process, they may file a Notice of Motion with the Board or the CER. Please refer to sections 4.4 and 4.5 of the Hearing Order for information on how to file a Notice of Motion.

Please note that within the Hearing Order various links and contact information has been provided. The links and contact information will be available after the Board transitions to the CER. Please contact the Process Advisor at NGTLNorthCorridor@neb-one.gc.ca, or by telephone at 1-800-899-1265 if you have any issues.

G. Next Steps

Please refer to Hearing Order GH-002-2019 for the Timetable of Events. The first event for Intervenor is to File Information Request No. 1 to NGTL by **26 September 2019**.

Parties granted Intervenor status in the GH-002-2019 proceeding have the opportunity to obtain participant funding, which should assist them to prepare and provide relevant submissions to help the Board understand concerns and how best to avoid or mitigate them. The National Energy Board's Participant Funding Program division previously indicated that \$40,000 per group was available for this Project. The NEB has since adjusted the participant funding available for this Project to \$80,000 per group. Please refer to the following webpage at www.neb-one.gc.ca/pfp for more information about participant funding or visit the Board's Project webpage at www.neb-one.gc.ca/NGTLNorthCorridor.

If you have any questions regarding this letter or the Hearing Order, please visit the Board's webpage for the Project at www.neb-one.gc.ca/NGTLNorthCorridor or contact the Process Advisory Team, at NGTLNorthCorridor@neb-one.gc.ca, or by telephone at 1-800-899-1265.

Yours truly,

Original signed by S. Wong

L. George
Secretary of the Board

Attachment - Hearing Order GH-002-2019

National Energy
Board



Office national
de l'énergie

**NOVA Gas Transmission Ltd.
North Corridor Expansion Project**

**File Number OF-Fac-Gas-N081-2019-02 02
Hearing Order GH-002-2019
26 August 2019**

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Explanation of Frequently Used Terms

The following are some terms used throughout this document and the hearing process. They are not legal definitions.

| | |
|--------------------------------|---|
| Application | The applicant's submission to the Board/CER which includes a request for approvals to construct the North Corridor Expansion Project as well as the applicants Environment and Socio-Economic Assessment. |
| Application to Participate | Process where interested parties can apply to the Board/CER to participate in the hearing process. |
| Board or NEB | National Energy Board |
| Canada Energy Regulator or CER | The National Energy Board's successor, as of 28 August 2019. |
| Certificate or CPCN | Certificate of Public Convenience and Necessity granted under section 52 of the National Energy Board Act. |
| Commenter | A person who is directly affected, has relevant information or has expertise regarding the Project and who has been approved to provide a letter of comment. See section 2.3. |
| e-file | Filing documents electronically with the Board/CER. See section 4.2. |
| evidence | Reports, statements, photographs, and other material or information that Participants submit as part of the Record. Evidence is used to support their position on the Application. |
| file | A formal way of submitting documents to the Board/CER. See section 4.2. |

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| Final Argument | The final position of NGTL and Intervenors, on the recommendations we should make, including conditions of approval, and the reasons why the evidence supports these recommendations. |
| Governor in Council or GIC | The Governor General acting on the advice of the Federal Cabinet. |
| hearing or public hearing | A public process we use to gather and test evidence so we can make fair and transparent recommendations. |
| Information Request or IR | A written question about NGTL's and/or an Intervenor's evidence. |
| Intervenor | A person who is directly affected, has relevant information or has expertise regarding the Project and whose Application to Participate has been approved as an Intervenor. Being an Intervenor allows for the fullest way to participate in the hearing process. |
| List of Issues or LoI | The List of Issues that we propose to consider in this hearing. See Appendix I. |
| NGTL | NOVA Gas Transmission Ltd. The company which has submitted the Application for the proposed Project. |
| NEB Act | <i>National Energy Board Act</i> |
| Notice of Motion | A document used to raise a question of process or substance, or to ask us to do something. We make a decision about any motions we receive by way of a Notice of Motion. See section 4.5. |
| Participant | A person who has applied to participate in the hearing and whose application to participate has been approved by us. The term Participants includes NGTL, Intervenors and Commenters. |

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| Process Advisor | Board/CER staff who can help the public, Indigenous ¹ groups and Participants to understand the process and how to participate in the hearing. See section 5.3 and Appendix V. |
| Project | NGTL's proposed project. See sections 1.2-1.4. |
| Public Registry | An online document repository for all submissions filed in the hearing. It is the Record that is available to the public. In most cases the Public Registry and the Record include the same information. However, in exceptional circumstances, the Board/CER may decide that certain information can be filed confidentially. This information is part of the Record, but not available on the Public Registry. |
| Record | The Record includes all relevant submissions and evidence filed or given orally in the proceeding, including documents such as the Application and the Hearing Order. |
| Regulatory Officer | Board/CER staff who can assist Participants, manage documentation before, during and after the hearing and perform court clerk duties at the hearing and manage the post hearing process. See section 5.4. |
| Reply Evidence | Additional information NGTL may file in reply to evidence filed by other Participants. |
| Report | A report prepared by us to the Governor in Council that includes our recommendation as to whether the Certificate should be granted for the Project and the reasons for the recommendation and any condition of approval. When making the recommendation, we will take into account whether the Project is and will be required for the present and future public convenience and necessity. |
| Rules | <u>National Energy Board Rules of Practice and Procedure, 1995</u> |

¹ The use of the term "Indigenous" has the meaning assigned by the definition of "aboriginal peoples of Canada" in subsection 35(2) of the *Constitution Act, 1982* which states:

In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit, and Métis peoples of Canada.

Serve

Officially providing a document to the applicable Participant, such as NGTL and Intervenors. Notice that the document is available on the Public Registry is usually provided electronically (by email) but the document may need to be provided to NGTL and Intervenors by mail or facsimile. See section 4.3.

1 This hearing

1.1 An overview

The National Energy Board (NEB or Board) or its successor, the Canada Energy Regulator (CER), has a responsibility to regulate the construction and operation of certain interprovincial and international pipelines and power lines. A three member panel has been assigned to act for the Board/CER (the Panel) to assess the Application filed by NOVA Gas Transmission Ltd. (NGTL) and to make a recommendation on whether NGTL's North Corridor Expansion Project (Project) should proceed or not, and under what conditions.

NGTL has applied to the Board/CER for permission to construct and operate pipeline facilities in Alberta that will become part of the existing NGTL System. The proposed Project would transport gas from the Peace River Project Area to growing intra-basin markets located in the North of Bens Area. The Project consists of approximately 81 kilometers (km) of pipeline, in three sections, with one compressor station unit addition.

The Board/CER will hold a public hearing to consider whether to recommend approval of this Project. This Hearing Order describes the various steps of the hearing process, how Participants can participate in the hearing, and the procedures that should be followed during the hearing. It also provides contact information should Participants have any issues or questions during the hearing.

The Hearing Order describes a written hearing process, with an opportunity for Indigenous groups to share oral Indigenous knowledge. Intervenors will be provided an opportunity to provide written questions to NGTL through Information Requests (IR), provide written evidence, written argument and comment on any proposed conditions. The events and deadlines in the hearing, as outlined in this document, are important to make sure the hearing is fair, transparent and efficient, and to provide certainty to all Participants.

After the Record is closed, and arguments are considered, the Panel will release a report setting out a recommendation to the Governor in Council (GIC), who will make the final determination on whether the Project should be approved. The Panel will consider the evidence on the Record before making its recommendation as well as all evidence based Final Arguments. The Panel can rely only on the evidence on the Record in making its recommendation.

Please note that as of 28 August 2019, the Board will transition to the CER, and a newly constituted panel will continue with the assessment of the Application under the NEB Act. The Board anticipates some uncertainty to the hearing process as a result of this transition; however, the Board felt it prudent to commence to the hearing process to provide certainty to NGTL in terms of timing of a Report, as well as all participants in terms of timing of submissions and oral Indigenous knowledge. The Hearing Order lists the Events of the proceeding, it does not provide deadlines for the majority of these Events. These will be provided through a future Procedural Update.

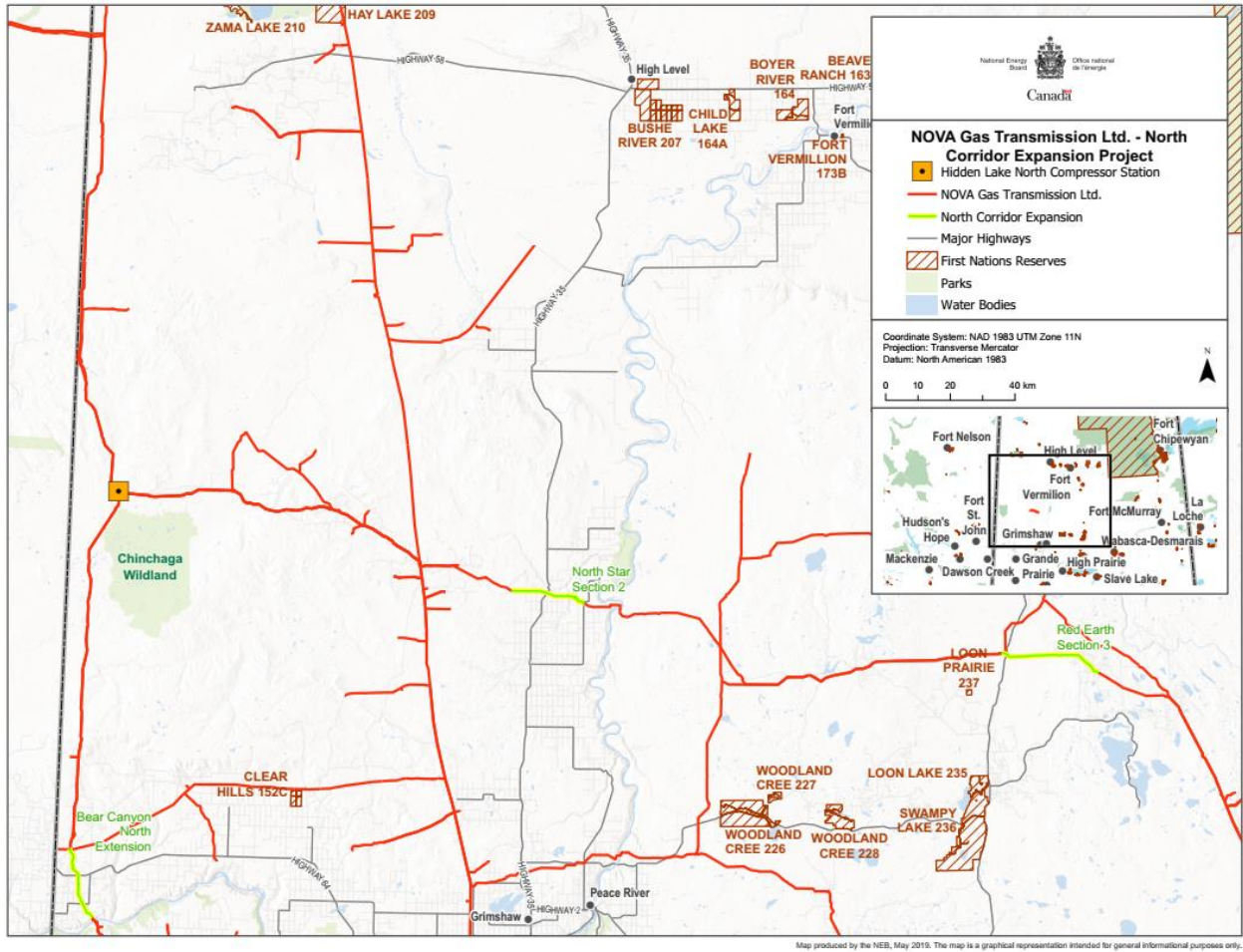
At any time, should Participants have concerns with respect to the Timetable of Events or the hearing process, they may file a Notice of Motion with the Board or the CER. Please refer to sections 4.4 and 4.5 of the Hearing Order for information on how to file a Notice of Motion.

1.2 What did NGTL apply for?

On 4 April 2019, NGTL filed its Application to the Board/CER and applied for:

- a Certificate of Public Convenience and Necessity, pursuant to section 52 of the NEB Act, authorizing construction and operation of the Project;
- an exemption from the requirements of paragraph 30(1)(b) and subsection 47(1) of the NEB Act to obtain Leave To Open from the Board/CER before installing auxiliary systems, utility gas and certain tie-ins for the Project;
- an exemption from the 100% NDE requirement in section 17 of the National Energy Board/CER Onshore Pipeline Regulations pursuant to subsections 48(2.1) and 48(2.2) of the NEB Act for certain low-pressure piping systems associated with the Project;
- an order, pursuant to section 58 of the NEB Act, exempting NGTL from the requirements of paragraphs 31(c), 31(d), and section 33 of the NEB Act in relation to:
 - the Project's compressor station unit addition;
 - temporary infrastructure required for construction of the pipeline; and
 - ROW preparation activities (including clearing, grading, and stripping) and commencing trenchless crossings in select areas along the proposed route (in aggregate not exceeding 40 km in length);
 - NGTL states that these activities will only be undertaken after the CPCN has been issued for the entire Project and after any applicable conditions for the section 58 activities are satisfied;
- an order pursuant to Part IV of the NEB Act affirming that:
 - prudently incurred costs required to provide service on the applied-for facilities will be included in the determination of the NGTL System revenue requirement; and
 - the tolls for services on the applied-for facilities will be calculated using the same methodology used to calculate tolls for services on the NGTL System, as determined through Board/CER order from time to time; and
- any such further and other relief as NGTL might request or the Board/CER might consider appropriate.

1.3 Where is this Project located?



1.4 What is this document about?

This document is a hearing order, and it explains:

- the options to participate in the hearing;
- steps and deadlines;
- procedures;
- where you can get more information; and
- the issues the Panel will consider (Appendix I and II).

1.5 Where can I see NGTL’s Application, the hearing documents and get more information about the Project?

If you have Internet access, you can access the Application on the NEB/CER [website](#)², under Applications and Filings. Click on Major Applications and Projects and select **NOVA Gas Transmission Ltd. – North Corridor Expansion Project**.

You can access any documents filed in the hearing from the [Public Registry](#)³ or access them through the Board/CER’s Project [website](#)⁴. The only exceptions are when a document is too large or when the Board/CER has approved it as confidential information. Appendix IV provides information on how hearing documents are organized online and includes tips for using our website.

If you don’t have Internet access, you can find the application in the locations listed in Appendix III. You can also ask NGTL for a copy by contacting the people identified below. Please note that if you have been granted Intervenor status in the hearing, NGTL has been directed to provide you with a hard copy of the Application.

Contacts for the Application are listed below.

Ms. Nicole Prince
Regulatory Project Manager
Regulatory Facilities
TransCanada PipeLines Limited
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: nicole_prince@transcanada.com

Mr. Brock Gent
Legal Counsel
Canadian Law, Natural Gas Pipelines
NOVA Gas Transmission Ltd.
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: brock_gent@transcanada.com

Mr. Sander Duncanson
Osler, Hoskin & Harcourt LLP
Suite 2500, TransCanada Tower
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: sduncanson@osler.com

Mr. Mark Graham
Osler, Hoskin & Harcourt LLP
Suite 2500, TransCanada Tower
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: mgraham@osler.com

1.6 Where can I get help or more information?

The Board/CER Process Advisor can provide you with information on the process and how to participate in the hearing. Section 5.3 tells you how to contact the Process Advisor. Appendix V explains the role of the Process Advisor.

² <https://www.neb-one.gc.ca/index-eng.html>

³ <https://apps.neb-one.gc.ca/REGDOCS/Item/View/3760383>

⁴ <https://www.neb-one.gc.ca/pplctnflng/mjrpp/nrthcrrdrxpnsn/index-eng.html>

The NEB/CER's website also has helpful publications about the hearing process and the energy industry in general. Sections 4 and 5 include information about other sources of help, including Board/CER staff names and contact information.

2 Participation

2.1 How can I stay informed of the hearing?

Anyone may observe the hearing process. You can observe the hearing process by:

- reading information about this hearing on our website – see Appendix IV;
- reading the evidence that has been filed on the Public Registry;
- listening to live broadcasts of the oral hearing through our website (if available);
- attending the oral portion of the hearing in person (restrictions may apply);
- reading transcripts of any oral portion of the hearing (subject to confidentiality restrictions placed, if any); and
- signing up through the Project website to receive email updates.

Section 5.2 tells you how to stay informed using the NEB/CER website. Section 5.5.1 explains how to access transcripts of any oral portion of the hearing.

2.2 Can I participate in this hearing?

Standing refers to the ability to participate. Level of participation refers to how someone can participate.

To have standing means that you are allowed to make representations to the Panel and that the Panel will consider this information before making its recommendation on the Application. These representations could either be in writing or oral (in this case, oral representations will be allowed for the sharing of oral Indigenous knowledge). Typically, Participants with standing in a hearing are Commenters, Intervenors, and the company who made the application.

On 16 August 2019, the Board issued Ruling No. 1 – Participation in the Hearing ([C01057](#)). The Board's ruling listed the Participants that had been granted standing in the hearing and the level of participation granted. The ruling also described how the Board reached its determinations on participation.

The Board also directed NGTL to provide all Participants to the hearing a hard copy of the Application through Ruling No. 1.

2.3 What is a Commenter?

If you were granted Commenter status, you are allowed to file one letter of comment. It will be placed on the online Public Registry, will form part of the hearing Record, and will be considered by the Panel prior to making a recommendation to GIC. Any additional letters or submissions will not be included on the Record or considered without prior leave being sought and granted.

Commenters will not be notified of, nor will they receive documents, that are filed on the online Public Registry. You will need to monitor the registry if you wish to remain aware of new filings on the Record.

2.4 What do I write in my letter of comment?

A Commenter can provide their views on the Project in a written letter of comment. Your letter of comment should include:

- your name, mailing address, and phone number;
- the name of your organization, if you represent one;
- hearing number GH-002-2019 and file No. OF-Fac-Gas-N081-2019-02 02;
- relevant comments on how you will be impacted (positively or negatively) by the Project; and
- any information that explains or supports your comments.

There is no page limit to your letter, although clear and well-organized letters are encouraged.

2.4.1 How can I file a letter of comment?

Only those who have been approved as Commenters may file a letter of comment. This deadline is to be determined and will be communicated through a Procedural Update.

1. File your letter of comment using one of the methods identified below:

- online using e-file, under the “Submit Applications and Regulatory Documents” link on the NEB/CER website; or
- mail, facsimile or courier it to us.

See section 4.2 for further information related to filing documents.

2. You must also Serve a copy of your letter of comment to NGTL, using the addresses below, at the same time you file the letter of comment with the Board/CER:

Ms. Nicole Prince
Regulatory Project Manager
Regulatory Facilities
TransCanada PipeLines Limited
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: nicole_prince@transcanada.com

Mr. Brock Gent
Legal Counsel
Canadian Law, Natural Gas Pipelines
NOVA Gas Transmission Ltd.
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: brock_gent@transcanada.com

Mr. Sander Duncanson
Osler, Hoskin & Harcourt LLP
Suite 2500, TransCanada Tower
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: sduncanson@osler.com

Mr. Mark Graham
Osler, Hoskin & Harcourt LLP
Suite 2500, TransCanada Tower
450 – 1 Street SW
Calgary, AB T2P 5H1
Email: mgraham@osler.com

For more information on how to Serve documents, see section 4.3.

2.5 What is an Intervenor?

Being an Intervenor allows for the most involved way to participate. If wishing to use all steps allowed for an Intervenor, it will require a commitment of time and may involve some costs to prepare your evidence and send documents to Participants. It allows you to, and may require you to, among other things:

- submit written evidence;
- ask questions in writing about others' evidence;
- respond to questions on your evidence;
- submit and respond to motions; and,
- make a Final Argument.

If you give evidence, you must be prepared to answer any written questions from other Intervenor, NGTL and the Board/CER about your evidence.

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Intervenor will be notified of, or receive, all documents that are on the Public Registry. This includes the Application, evidence, Notices of Motion, Board/CER documents and all Application related materials. You can find the [Public Registry](#)⁵ on the NEB/CER's website or access it through the Board/CER's Project [website](#)⁶. For more information on how to find documents on our website, see Appendix IV.

Participants granted Intervenor status in the GH-002-2019 proceeding have the opportunity to obtain participant funding, which should assist them to prepare and provide relevant submissions to help the Board/CER understand their concerns and how best to avoid or mitigate them. Please refer to the following webpage for more information at www.neb-one.gc.ca/pfp or visit the Board/CER's Project webpage at www.neb-one.gc.ca/NGTLNorthCorridor.

2.6 Can I withdraw?

If you are approved to be a Participant, you may withdraw at any time in the hearing process by filing a letter with the Board/CER on the Public Registry. See section 4.2 on how to file documents with the Board/CER.

As an Intervenor, unless you formally withdraw, you will continue to regularly receive email notifications and/or hard copies of documents.

3 Steps in the hearing

This section describes the steps in the hearing process. Appendix VI - Timetable of Events lists the various milestones and deadlines for this hearing.

⁵ <https://apps.neb-one.gc.ca/REGDOCS/Item/View/3760383>

⁶ <https://www.neb-one.gc.ca/pplctnflng/mjrpp/nrthcrrdrxpnsn/index-eng.html>

3.1 Application Completeness and designated time limit

The Board has determined that the Application is complete and that the Application can proceed to the assessment process. The Chair of the NEB has specified that the time limit for the Board/CER to submit its Report to GIC on the Project is 15 months from the date the Application was determined to be complete. Therefore, the Board/CER is required to issue the Report no later than 26 November 2020. The time limit represents the maximum time allotted for the Board/CER to complete its assessment, subject to any extension permitted under the NEB Act. The Board/CER may issue its Report prior to the 26 November 2020 deadline.

3.2 List of Issues and Factors and Scope of Factors for the Board/CER's Environmental Assessment

The issues that will be considered in this hearing are identified in the List of Issues and the Factors and Scope of Factors for the Board/CER's Environmental Assessment (Factors), pursuant to the *Canadian Environmental Assessment Act, 2012*. A Preliminary List of Issues and Factors were released on 10 June 2019 with the Notice of Hearing in order to help interested persons complete their ATPs. The Board also sought comments on the Preliminary List of Issues and Factors from interested parties. Having considered the comments filed, the List of Issues and Factors are set out in Appendix I and II.

3.3 NGTL files Additional Evidence

By **5 September 2019**, NGTL may file with the Board/CER any additional written evidence it may wish to file supplement to its Application, a copy of which must also be Served on all Intervenors.

3.4 Intervenors file Information Requests to NGTL

All Intervenors may ask questions of NGTL. Their questions must be in writing (referred to as IRs). Every IR must be relevant to one or more of the issues identified in Appendix I and II or be directly relevant to the Project. Intervenors are provided two opportunities to ask IRs of NGTL. IRs to NGTL must be filed with the Board/CER and Served on NGTL and all other Intervenors by the following dates:

- IR No. 1 – **26 September 2019**
- IR No. 2 – **31 October 2019**

See Section 4.2 for more information on how to file documents.

3.5 NGTL responds to Information Requests

NGTL must file with the Board/CER, its responses to IR No. 1 by **10 October 2019** and IR No. 2 by **14 November 2019**. Responses to both IRs must also be Served on all Intervenors for the proceeding by the same date.

3.6 Intervenor file written evidence

Intervenors who wish to file written evidence with the Board/CER may do so by **5 December 2019** and must also Serve a copy on NGTL and all Intervenors of the proceeding by the same date.

See section 4.2 for more information on how to file documents.

3.7 NGTL and Intervenors Submit Information Requests to Intervenors

NGTL and Intervenors may ask questions about the evidence of other Intervenors who are opposite in interests. Written questions may also be asked on oral Indigenous knowledge that has been shared (see section 3.14). A copy of the IR must be Served on the Intervenor whose evidence is being questioned, as well as NGTL and all other Intervenors for the hearing by the same date. A deadline for NGTL and Intervenors to submit IRs on Intervenor evidence is to be determined and will be communicated through a Procedural Update.

The IRs must be relevant to the evidence of the Intervenor and to the issues identified in Appendix I and II.

See section 4.2 for more information on how to file documents.

3.8 Intervenors respond to Information Requests

Intervenors must:

- file a copy of their IR responses with the Board/CER; and
- Serve a copy of those responses on NGTL and all other Intervenors.

A deadline for responses to Intervenor responses to IRs is to be determined and will be communicated through a Procedural Update.

See section 4.2 for more information on how to file documents.

3.9 Commenters file Letters of Comment

Those who have been approved as Commenters must file their letters of comment with the Board/CER and Serve a copy on NGTL by the same date. A deadline for letters of comment is to be determined and will be communicated through a Procedural Update.

For more information on what to include in your letter of comment see Section 2.4.

See section 4.2 for more information on how to file documents.

3.10 NGTL files Reply Evidence

NGTL may file any Reply Evidence with the Board/CER and must then Serve a copy on all Intervenors by the same date.

A deadline for Reply Evidence is to be determined and will be communicated through a Procedural Update.

3.11 Comments on draft conditions

The Board/CER will provide an opportunity for NGTL and all Intervenors to comment on any proposed conditions for the Project. Proposed conditions do not mean that the Board/CER will recommend the issuance of a Certificate for the Project. The Board/CER is required to include conditions regardless of the recommendation it may make about the Project.

A date for when the conditions will be released will be provided at a future date.

Comments from Intervenors or from NGTL on draft conditions must be filed with the Board/CER and Served on all Intervenors and NGTL. A deadline for submissions is to be determined and will be provided in a future Procedural Update.

3.12 Final Written Argument

Final Argument is the last opportunity for NGTL and Intervenors to present and argue their positions on the Project. If you provide Final Argument, you can only discuss evidence that is on the Record to support your position (i.e., filed written evidence, oral Indigenous knowledge presented, responses to IRs and letters of comment). You cannot submit any new evidence when you make Final Argument. This is an opportunity to:

- summarize your views and opinions about the Project;
- argue about the relevance and weight of any evidence that is before the Board/CER;
- make your recommendation as to whether the Project should be approved and if so, under what conditions; and
- describe any relief you may be requesting from the Board/CER.

Final and Reply Argument must be filed with the Board/CER and Served on NGTL and Intervenors. Deadlines for Final and Reply Argument are to be determined and will be conveyed through a future Procedural Update. The Board/CER notes that Reply Argument is a right of the applicant and has included this step in the Hearing Order.

3.13 Close of the Record and issuance of recommendation

After the evidentiary process steps are concluded, meaning those steps leading up to Final Argument, the Record is closed, subject to any undertakings. This means that no further new evidence or submissions will be accepted during or after Final Argument. The Panel then considers all relevant evidence on the Record, including oral Indigenous knowledge, and Final Arguments, before making its recommendation.

By **26 November 2020** the Panel will release its Report. This will include a Panel recommendation on whether the Project should proceed, and if so, under what conditions. All Participants will be notified and the Report will be posted on the NEB/CER website.

3.14 Indigenous Intervenors to share oral Indigenous knowledge

The Board/CER recognizes that communities of Indigenous peoples share their knowledge and lessons through an oral tradition from generation to generation. This knowledge and information is valuable for the Panel's consideration in assessing the Project. Time has been allotted in the hearing schedule for Indigenous Intervenors to share oral Indigenous knowledge, should they wish, which may be in addition to, or instead of, filing written evidence.

Indigenous Intervenors are best placed to decide what information they wish to share with the Panel in relation to their rights and interests in the Project area, and concerns they may have about the Project. The Panel is charged with assessing NGTL's Application and determining whether to recommend that the Project be approved and if so, under what terms and conditions. In view of that, the Panel encourages Indigenous Intervenors to participate and share their oral Indigenous knowledge, especially with a focus on their specific rights and interests and the potential impact of the Project on those rights and interests.

Should there be a desire expressed by Indigenous peoples to do so, the Panel will hold oral hearings for the sharing of oral Indigenous knowledge, in person, between **December 2019 and early February 2020**. Further information related to the sharing of oral Indigenous knowledge will be provided through a Procedural Update. The detailed schedule and location will be announced as soon as possible.

Note that the Board/CER acknowledges sensitivities with respect to questioning respected members of Indigenous communities, such as Elders. The Board/CER will not allow oral questions during or directly after the sessions (other than perhaps some clarification questions from the Panel). Rather, the Board/CER has provided an opportunity for NGTL and Intervenors to submit IRs to other Intervenors on their evidence, including oral Indigenous knowledge. See section 3.7 for more information.

4 Procedures

This section describes how to submit documents, the deadlines, and other procedures.

4.1 How do I prepare documents?

Every document you file with us or Serve on NGTL and Intervenors must refer to Hearing Order GH-002-2019 and File No. OF-Fac-Gas-N081-2019-02 02.

Address the document(s) to the proper Participant. For example, anything to be filed with the Board/CER should be addressed to the Secretary of the Board/Commission. Documents specifically for other Participants should be addressed to them using the List of Participants (as defined in Ruling No. 1 – Participation in the Hearing, [C01057](#)) as a reference.

Number the pages of your document consecutively, including blank pages, so the electronic page numbers match the page numbers that show on your document. Also, please use the latest version of Adobe Acrobat.

Except for online forms, sign any document you file with the Board/CER, or if represented, have your representative sign it.

If you refer to information on a website in your document:

- insert a direct link or a reference to the website, so anyone accessing the website can know the exact information you are referring to, and the date in which the information was accessed;
- make sure the reader does not require a password or subscription to get the information;
- don't just refer to the link but be explicit about the passage you are referring to; and
- file a hard copy with the Board/CER of all the information you are referring to – this is because website links may expire or change and the Board/CER must keep a precise Record of what is filed.

4.2 How do I file documents with the Board/CER?

All documents submitted to the Board/CER become part of the Public Registry (subject to any confidentiality request that may be granted). We require you to file your documents through the NEB/CER Participation Portal using your online [NEB/CER Account](#) or by using e-file.

Submit Documents using Participation Portal

To file your documents using your online NEB/CER Account, you must follow these steps:

- Prepare your documents as explained in section 4.1.
- Sign into your [NEB/CER Account](#) using your GCKey user ID and password, which you created when you applied to participate.
- You should see the Welcome Portal page; click “continue” or to sign in.
- You will see a list of the hearings you can participate in. Locate “North Corridor Expansion Project”, click on “Submit Documents Electronically” and follow the instructions.
- Under Step 8 – “Service Options and Submission of Complete Form”, you may choose to have the Participation Portal send an Automated Service Notification on your behalf by email to all Intervenors, and the Applicant, who have provided a valid email address. To make use of this service, click on “Yes, I want to use the Participation Portal’s Automated Service Notification option for all Participants who have provided an email address.”

Note: The Board/CER will accept this Automated Service Notification as equivalent to the service required under the [National Energy Board Rules of Practice and Procedure, 1995](#)⁷ (Rules) and in this Hearing Order. If you do not wish to use the Automated Service Notification option, you are required to Serve all Participants yourself using any of the methods allowed under section 8 of the Rules (e.g., email, facsimile, courier, regular mail or hand delivery).

⁷ <https://laws-lois.justice.gc.ca/eng/regulations/SOR-95-208/index.html>

The Participation Portal cannot Serve Participants who have not provided an email address; it is your responsibility to Serve a hard copy of your submission on any Participant who has not provided an email address.

- Once you have completed your submission through the Participation Portal, you will receive two emails:
 - your filing receipt where you need to verify your attachments; and
 - important instructions including the contact information of the Participants who have not provided an email address and for whom you must Serve a hard copy of your submission.

File Documents using e-file

To e-file documents, you must follow these steps:

1. Prepare the document as explained in section 4.1.
2. Go to our website, www.neb-one.gc.ca. Under “Applications & Filings”, click on “Submit Applications and Regulatory Documents” and follow the instructions. Refer to the [*Filer’s Guide to Electronic Submission*](#) on our website for more information. You will receive an email containing a submission receipt. Print the submission receipt and sign it.
3. Send one hard copy of the e-filed document(s) and one hard copy of the signed submission receipt to us by mail, hand delivery or courier. See section 5.1 for the Board/CER’s contact information.

Please note that you cannot e-file or submit documents with the Board/CER by way of email.

4.2.1 What if I can’t file my documents through the Participation Portal or e-file?

If you cannot file your documents through the Participation Portal or e-file your documents, you may submit documents in person, or by mail, facsimile or courier.

- Prepare the document as explained in section 4.1.
- Hand deliver, mail, facsimile, or courier one copy of each document to the Board/CER. See section 5.1 for the Board/CER’s contact information.

Note: When documents are to be filed with the Board/CER, email is not an accepted method of filing and any such filing will be refused.

4.2.2 Who can help me with submitting my documents?

Contact the Regulatory Officer (see section 5.4).

4.3 How do I Serve documents on others?

When you are required to Serve documents, you must send one copy to NGTL and its counsel, and to each Intervenor on the List of Participants (as defined in Ruling No. 1 – Participation in the Hearing, [C01057](#)). The method of service for each Intervenor will be indicated on the List of Participants.

If you e-file documents, and if required to Serve documents on relevant Participants, you must notify the relevant Participants by email when those documents have been filed. To do this, create a list of email addresses from the List of Participants and send an email to this list indicating that the filing is available on the Board/CER's website.

Note that the Board/CER's Participation Portal Automated Service Notification is considered equivalent to the service required under the [National Energy Board Rules of Practice and Procedure, 1995](#) and in this Hearing Order. See section 4.2.

If the List of Participants indicates an Intervenor is unable to access electronic documents, you must provide that person with a hard copy.

If your document cannot be scanned, for example, if it is too large, you must mail, facsimile, courier or deliver by hand one copy to each of the Board/CER, NGTL and Intervenor. Board/CER staff will put an electronic placeholder on our website. A placeholder indicates a document has been filed in hard copy (and is available in our library) but cannot be viewed or searched online.

You can contact the Board/CER's Regulatory Officer for assistance with e-filing your documents. See section 5.4.

4.4 What if I cannot meet a deadline?

Hearing deadlines are set to provide fairness, efficiency and certainty to all Participants and must be respected unless leave from the Board/CER is sought and granted. We encourage Participants to e-file documents, or to use facsimile or courier so others receive documents on time.

As mentioned, late filings will not be accepted, except with permission of the Board/CER. If you cannot meet a deadline, you must file a written document with the Board/CER, which requests an extension. You must Serve a copy on NGTL and all Intervenor. Your filing must include the following factors to be considered:

- the reason why you cannot meet the deadline and whether you were diligent;
- whether your submission is likely to assist the Board/CER;
- whether others have made, or could have made, similar submissions;
- whether other Participants could be disadvantaged as a result of the late submission; and
- any other relevant considerations.

4.5 Notice of Motion - How do I raise a question of procedure or substance that requires a Board/CER decision?

If you want to ask the Board/CER to do something, such as asking to consider a change to the process, you must file a Notice of Motion with the Board/CER and Serve it on NGTL and all Intervenors. The Notice of Motion must include:

- a concise statement of the facts;
- the grounds for the request;
- the decision or relief requested;
- an explanation of if the granting of your motion would prejudice any Participant or not; and,
- any information which supports the request.

The Notice of Motion must:

- be in writing;
- be signed by the person making the motion or an authorized representative;
- be divided into consecutively numbered paragraphs;
- be filed with the Board/CER, and Served on NGTL and all Intervenors; and,
- be filed separately from any other correspondence.

If you are relying on case law or other authorities to support your position, you must submit a book of authorities and highlight the specific passages you are relying on. You must file a copy with the Board/CER and send a copy to NGTL and all Intervenors.

For further information on motions, see section 35 of the [*National Energy Board Rules of Practice and Procedure, 1995*](#)⁸. See Appendix IV for more information on how to locate documents on the Board/CER's website.

4.6 Will you keep my evidence confidential?

All evidence provided for this hearing will be on the Public Registry unless you file a Notice of Motion to keep your evidence confidential under sections 16.1 or 16.2 of the NEB Act and your request for confidentiality is approved by the Board/CER.

4.7 Where can I go for more detailed information about the hearing procedures?

The Rules provide detailed information about the hearing process; however, in the event of a discrepancy between the Rules and this Hearing Order, this Hearing Order prevails. The Board/CER's [website](#)⁹ for the Project includes additional details regarding the Project. You may also contact the Process Advisor (see section 5.3).

⁸ <https://laws-lois.justice.gc.ca/eng/regulations/SOR-95-208/index.html>

⁹ <https://www.neb-one.gc.ca/pplctnflng/mjrpp/nrthcrrdrxpnsn/index-eng.html>

5 Contact Information

Note that contact information for the CER is not currently available. Please use the contact information below should you have any issues, as the email addresses and phone numbers will still be active after the Board transitions to the CER. Any changes to the contact information will be conveyed through a Procedural Update or can be found on the Project website www.neb-one.gc.ca/NGTLNorthCorridor.

5.1 Our contact information for filing documents

Secretary of the Board/Commission
National Energy Board/Canada Energy Regulator
Suite 210, 517 Tenth Avenue SW
Calgary, AB T2R 0A8
Telephone 403-292-4800
Toll-free phone 1-800-899-1265
Facsimile 403-292-5503
Toll free facsimile 1-877-288-8803

5.2 NEB/CER Website

We post the most current information about the hearing on our website. Go to www.neb-one.gc.ca and click on North Corridor Expansion Project under Major Applications and Projects. You can also visit the Board/CER's website for the Project at www.neb-one.gc.ca/NGTLNorthCorridor. See Appendix IV for more information on how to locate documents on the Board/CER's website.

5.3 Process Advisor

Our Process Advisor can help you understand the hearing process and how you can participate in it. Appendix V provides some information on what the Process Advisor can do to assist. You can contact the Process Advisor at:

NGTLNorthCorridor@neb-one.gc.ca
Toll-free phone 1-800-899-1265
Toll-free facsimile 1-877-288-8803

5.4 Regulatory Officer

If you need help with filing documents, or help with evidence or exhibits during the hearing, please contact the Regulatory Officer, Ms. Janet Foreman, at:

Janet.Foreman@neb-one.gc.ca
Telephone 403-390-8999
Toll-free phone 1-800-899-1265
Facsimile 403-292-5503
Toll free facsimile 1-877-288-8803

5.5 Publications and Transcripts

For our publications, many are available on our website (www.neb-one.gc.ca). You may also contact our library:

publications@neb-one.gc.ca

Telephone 403-292-3562 or 1-800-899-1265 (toll free)

Second Floor, 517 Tenth Avenue SW

Calgary, AB T2R 0A8

5.5.1 Transcripts

The oral portion of the hearing for the sharing of oral Indigenous knowledge will be recorded and transcribed daily. Full transcripts will be available to the public through the Board/CER's website (subject to any confidentiality request asked for and granted by the Board/CER for any portion of any oral Indigenous knowledge shared) at www.neb-one.gc.ca. Click on "View" under Regulatory Documents and then "Active Hearings" and scroll to "*North Corridor Expansion Project*".

5.6 Our library

You can view a copy of the Application in the NEB/CER library. The library is also an excellent source of information about energy issues. You can reach the library at:

library@neb-one.gc.ca

Phone: 403-299-3561 or 1-800-899-1265 (toll free)

Second Floor, 517 Tenth Avenue SW

Calgary, AB T2R 0A8

NATIONAL ENERGY BOARD

Original signed by S. Wong for

L. George
Secretary of the Board

Attachments

Appendix I – List of Issues

NOVA Gas Transmission Ltd. Application for the North Corridor Expansion Project

List of Issues

The Board has identified the following issues, including but not limited to, for consideration in the hearing with respect to the construction and operation of the proposed North Corridor Expansion Project (Project):

1. The need for the Project.
2. The economic feasibility of the Project.
3. The potential commercial impacts of the Project.
4. The appropriateness of the toll and tariff methodology of the Project.
5. The potential environmental and socio-economic effects of the Project, including any cumulative environmental effects that are likely to result from the Project as set out in the NEB's Filing Manual, as well as those to be considered under the *Canadian Environmental Assessment Act, 2012* (see Appendix II).
6. The appropriateness of the general route and land requirements for the Project.
7. Potential impacts of the Project on Indigenous¹ interests.
8. Potential impacts of the Project on owners and users of lands.
9. The suitability of the design of the Project.
10. Contingency planning for leaks, accidents or malfunctions, during construction and operation of the Project.
11. Safety and security during construction and operation of the Project, including emergency response planning and third-party damage prevention.

¹ "Indigenous" has the meaning assigned by the definition of Aboriginal peoples of Canada in subsection 35(2) of the *Constitution Act, 1982*:

(2) In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

12. The terms and conditions to be included in any recommendation or approval the Board/CER may issue for the Project.

Appendix II – Factors and Scope of Factors for the Board/CER’s Environmental Assessment

NOVA Gas Transmission Ltd. North Corridor Expansion Project

Factors and Scope of the Factors for the Environmental Assessment (EA) pursuant to the *Canadian Environmental Assessment Act, 2012* (CEAA 2012)

1.0 INTRODUCTION

On 4 April 2019, NOVA Gas Transmission Ltd. (NGTL) filed an [Application](#)¹ with the National Energy Board (NEB)/Canada Energy Regulator (CER) proposing to construct and operate pipeline facilities in Alberta that will be part of the existing NGTL System. The proposed North Corridor Expansion Project (Project) would transport gas from the Peace River Project Area (PRPA) to growing intra-basin markets located in the North of Bens Area. The Project consists of approximately 81 kilometers (km) of pipeline in three sections, with one compressor station unit addition.

As the Project would require more than 40 km of new pipeline and would be regulated under the *National Energy Board Act* (NEB Act), it is therefore a designated project under the CEAA 2012 and requires a CEAA 2012 EA for which the NEB/CER is the Responsible Authority.

For the purposes of the EA, the designated project includes the various components and physical activities described by NGTL in its Application.

The following section provides a description of the factors to be taken into account in the EA for the Project and of the scope of those factors.

2.0 FACTORS AND SCOPE OF THE FACTORS

2.1 Factors to be considered

The EA for the Project will take into account the factors for a designated project as described in paragraphs 19(1)(a) through (h) of the CEAA 2012:

- a) the environmental effects² of the designated project, including the environmental effects of malfunctions or accidents that may occur in connection with the designated project and any cumulative environmental effects that are likely to result from the designated project in combination with other physical activities that have been or will be carried out;
- b) the significance of the effects referred to in paragraph (a);

¹ <https://apps.neb-one.gc.ca/REGDOCS/Item/Filing/A98641>

² Note [Section 5 of the CEAA 2012](#) further describes the environmental effects that are to be taken into account

- c) comments from the public – or, with respect to a designated project that requires that a certificate be issued in accordance with an order made under section 54 of the *National Energy Board Act*, any interested party – that are received in accordance with this Act;
- d) mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the designated project;
- e) the requirements of the follow-up program in respect of the designated project;
- f) the purpose of the designated project;
- g) alternative means of carrying out the designated project that are technically and economically feasible and the environmental effects of any such alternative means;
- h) any change to the designated project that may be caused by the environment.

In addition, subsection 19(3) adds that the EA may take into account “community knowledge and Aboriginal traditional knowledge.”

2.2 Scope of the Factors to be considered

The [National Energy Board Filing Manual](#)³ provides information about scoping. The EA will consider the potential effects of the Project within spatial and temporal boundaries within which the Project may potentially interact with and have an effect on components of the environment. These boundaries will vary with the issues and factors considered, and will include but not be limited to:

- construction, operation and maintenance, foreseeable changes, and site reclamation, as well as any other undertakings proposed by the proponent or that are likely to be carried out in relation to the physical works proposed by the proponent, including mitigation and habitat replacement measures;
- seasonal or other natural variations of a population or ecological component;
- any sensitive life cycle phases of species (e.g., wildlife, vegetation) in relation to the timing of Project activities;
- the time required for an effect to become evident;
- the area within which a population or ecological component functions; and
- the area affected by the Project.

Any works and activities associated with additional modifications or associated with the decommissioning or abandonment phase of the Project would be subject to a future application and assessed in detail at that time. Therefore, at this time, any works or activities associated with these phases of the Project will be examined in a broad context only.

³ <http://www.neb-one.gc.ca/bts/ctrg/gnnb/flngmnl/hstr-eng.html>

As indicated above, the EA will consider cumulative environmental effects that are likely to result from the Project in combination with effects from other physical activities that have been or will be carried out.

Subsection 2(1) of the CEAA 2012 provides definitions potentially relevant to the scope of the factors, including:

environment means the components of the Earth, and includes

- (a) land, water and air, including all layers of the atmosphere;
- (b) all organic and inorganic matter and living organisms; and,
- (c) the interacting natural systems that include components referred to in paragraphs (a) and (b).

and,

mitigation measures means measures for the elimination, reduction or control of the adverse environmental effects of a designated project, and includes restitution for any damage to the environment caused by those effects through replacement, restoration, compensation or any other means.

Appendix III - Where can I see the Application?

Worsley & District Library

Worsley Central School
216 Alberta Avenue
Worsley, AB T0H 3W0

Manning Municipal Library

407 Main Street
Manning, AB T0H 2M0

Red Earth Public Library

Red Earth Creek School
115 Sandy Lane
Red Earth Creek, AB T0G 1X0

National Energy Board/Canada Energy Regulator Library

2nd floor, 517 Tenth Avenue SW
Calgary, AB T2R 0A8

Appendix IV – How can I find documents on the Board/CER’s website?

Website Navigation Tips:

1. You will find our website’s home page at: www.neb-one.gc.ca
2. Information on the North Corridor Expansion Project is available at www.neb-one.gc.ca/NGTLNorthCorridor
3. To find the Public Registry for the Application, go to the dark blue navigation bar and click on “Applications & Filings” at the top of our home page. On the left hand side of the page, click on “View Regulatory Documents”. Then click on “Active Hearings” and “NOVA Gas Transmission Ltd. – North Corridor Expansion Project”.

You may also find the Public Registry for the North Corridor Expansion Project using the link provided in No. 2 above.

At times, recently filed documents may not be on the Public Registry as they are waiting to be filed. You will find these documents in the “Inbox”. The Inbox is located to the left of the “Active Hearings” tab.

4. If you use your NEB/CER Account to submit documents, your Participation Portal will keep a record of these documents.
5. To learn about hearings in general, go to the left side of our home page, click “Participate in a Hearing”.
6. For information on how to e-file documents, go to the left side of the NEB/CER home page, click on “Submit Applications and Regulatory Documents” under “Regulatory Documents.”
7. To find Acts, Regulations and Rules, click on “About Us” in the dark blue navigation bar and then “Acts and Regulations” then select “List of Acts and Regulations” to find the *National Energy Board Act* and the *Canadian Environmental Assessment Act, 2012*.

To find *National Energy Board Rules of Practice and Procedure, 1995*, click on “List of Acts and Regulations” then from the right hand column beside *National Energy Board Act* click “Regulations” then “*National Energy Board Rules of Practice and Procedure, 1995*.”

Appendix V – Role of the Process Advisor

The Board/CER has assigned Process Advisor(s) for this Project.

If you are thinking about participating in the Board/CER's hearing process for this Project, the Process Advisors can provide you with assistance.

Process Advisors can:

1. Answer your questions about the Board/CER's hearing process;
2. Explain the different options of participation (Intervenor, letter of comment author) and what you can and cannot do in these roles;
3. Discuss how you can apply to participate in the process;
4. Provide samples and templates that can help answer your questions; and,
5. Explain your role in the hearing.

Process Advisors cannot:

1. Make your case for you. That means, they cannot:
 - a. Interpret the evidence for you;
 - b. Tell you what information you should give to the Panel Members or file with the Board/CER;
 - c. Tell you how to best present your information and evidence; or,
 - d. Write your questions or evidence or Final Argument.
2. Talk to the Panel Members on your behalf;
3. Talk to NGTL on your behalf.

Please contact a Process Advisor at 1-800-899-1265 or at NGTLNorthCorridor@neb-one.gc.ca if you have questions for this Project, or if you would like help participating in this hearing. Process Advisors will generally be available during business hours and respond to enquiries the following business day.

Appendix VI – Timetable of Events

| Events | Hearing Order Reference | Responsible Participant | Date or Deadline (noon Mountain time) |
|--|--------------------------------|--------------------------------|---|
| Note: all steps are in writing save for oral Indigenous knowledge | | | |
| NGTL's Project application to the Board/CER | N/A | NGTL | 4 April 2019 |
| Serve Project Application on all Intervenor | 2.2 | NGTL | Immediately after receiving the List of Participants (C01057) |
| Determination of Project Application completeness and time limit | 3.1 | Board | 26 August 2019 |
| Release of Hearing Order GH-002-2019 with List of Issues, Factors and Scope of Factors for the Environmental Assessment and cover letter | 3.2 | Board | 26 August 2019 |
| The Board transitions to the Canada Energy Regulator | 1.1 | Board/CER | 28 August 2019 |
| File additional written evidence | 3.3 | NGTL | 5 September 2019 |
| File Information Request No.1 to NGTL | 3.4 | Intervenor | 26 September 2019 |
| Respond to the Intervenor Information Request No. 1 | 3.5 | NGTL | 10 October 2019 |
| File Information Request No. 2 to NGTL | 3.4 | Intervenor | 31 October 2019 |

| | | | |
|---|------|-------------------------|-------------------------------------|
| Respond to the Intervenor Information Request No. 2 | 3.5 | NGTL | 14 November 2019 |
| File written evidence | 3.6 | Intervenors | 5 December 2019 |
| oral Indigenous knowledge | 3.14 | Indigenous Intervenors | December 2019 – early February 2020 |
| File Information Requests to Intervenors | 3.7 | NGTL, other Intervenors | To Be Determined |
| Respond to Information Requests from NGTL and other Intervenors | 3.8 | Intervenors | To Be Determined |
| File Letters of Comment | 3.9 | Commenters | To Be Determined |
| File Reply Evidence | 3.10 | NGTL | To Be Determined |
| Comments on draft conditions | 3.11 | NGTL and Intervenors | To Be Determined |
| NGTL Final Argument | 3.12 | NGTL | To Be Determined |
| Intervenor Final Argument | 3.12 | Intervenors | To Be Determined |
| NGTL Reply Argument | 3.12 | NGTL | To Be Determined |