

National Energy
Board



Office national
de l'énergie

**NOVA Gas Transmission Ltd.
North Montney Project**

**File Number OF-Fac-Gas-N081-2013-10 02
Hearing Order GH-001-2014
5 February 2014**

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1 Hearing overview (GH-001-2014)

1.1 What is this Project about?

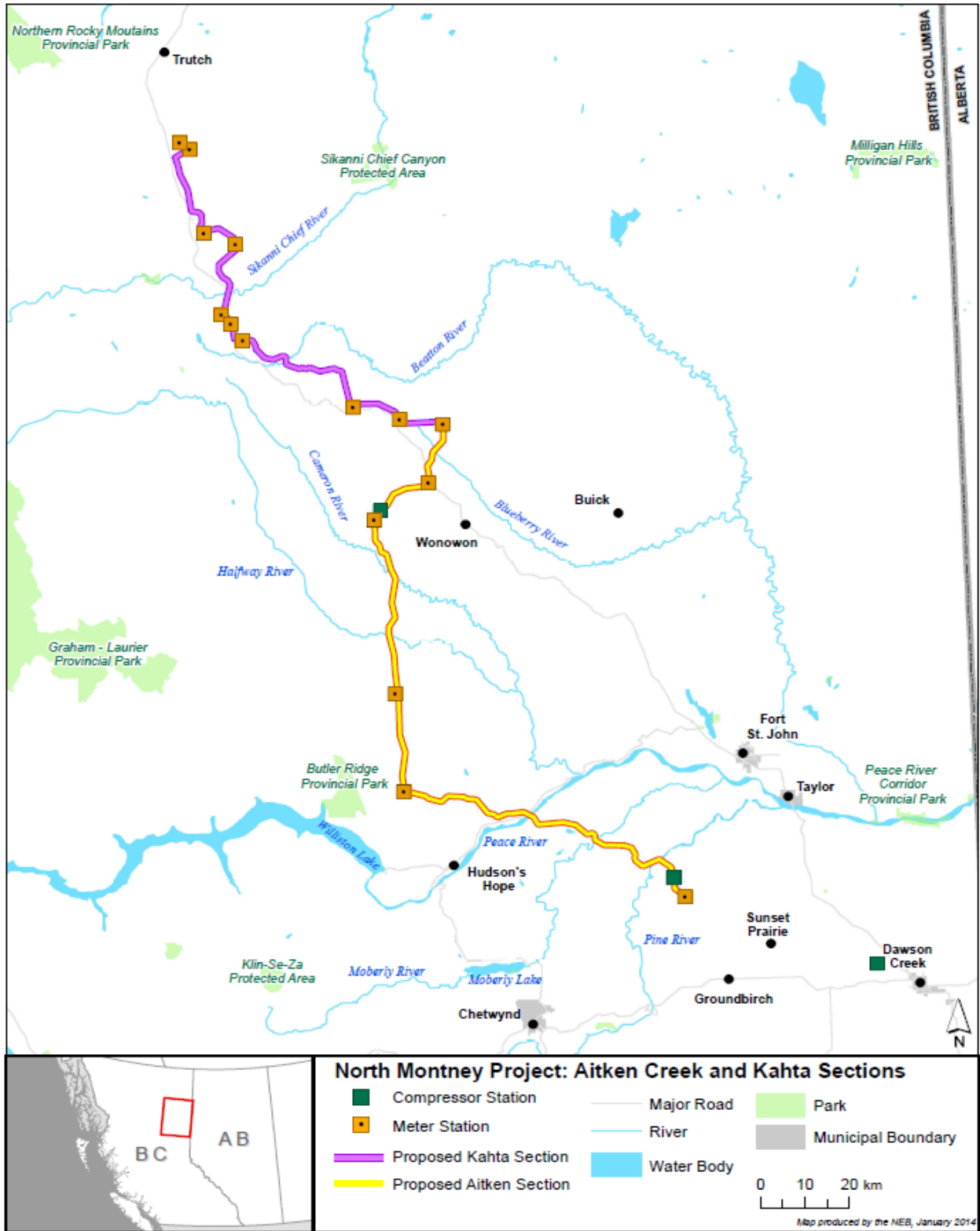
On 8 November 2013, NOVA Gas Transmission Ltd. (NGTL) filed an Application with the Board to construct and operate the North Montney Mainline, a proposed extension of the NGTL System to the North Montney area of northeastern BC (the Project).

The proposed section 52 portion of the Project includes two integrated pipeline segments and their related facilities (the **Section 52 Facilities**):

- construction of a new 1067 mm nominal pipe size (NPS 42) sweet natural gas pipeline, approximately 180.9 kilometres (km) in length, from an interconnection with the existing Saturn section of the Groundbirch Mainline (Saturn Section) at 14-21-80-20 W6M to a point located in Unit 44, Block L, Group 94-A-13 (Aitken Creek section);
- construction of a new 1067 mm nominal pipe size (NPS 42) sweet natural gas pipeline, approximately 125.0 km in length, from the Aitken Creek section located in Unit 44, Block L, Group 94-A-13 to a point located in Unit 39, Block C, Group 94-G-10 (Kahta section);
- construction of three new compressor stations with bi-directional capability, two on the Aitken Creek section, and one along the existing Groundbirch Mainline;
- construction of 15 new meter stations along the North Montney Mainline, comprised of:
 - 13 receipt meter stations; four on the Aitken Creek section and nine on the Kahta section,
 - one bi-directional storage meter station connected to the existing Aitken Creek gas storage facility, and
 - one delivery meter station.

The **Section 58 Facilities** of the proposed Project are defined as construction of temporary infrastructure and right-of-way preparation activities required for construction of the Aitken Creek section and related meter station sites.

1.2 Where is this Project located?



1.3 What did NGTL request?

In its Application, NGTL requested the following from the Board:

- a Certificate of Public Convenience and Necessity under section 52 of the [National Energy Board Act](#) (NEB Act) be issued, authorizing construction and operation of the Project;
- an Order under section 58 of the NEB Act, exempting the Section 58 Facilities from the provisions of subsections 31(c), 31(d) and section 33 of the NEB Act;
- an Order under Part IV of the NEB Act for the proposed tolling methodology for the Project; and
- any such further and other relief as NGTL may request or the Board may deem appropriate.

1.4 Who makes the recommendation or decision on the Project?

We, the Board, will issue a Report setting out our recommendation to the Governor in Council regarding the Section 52 Facilities. This Report will take into account whether the Project is and will be required for the present and future public convenience and necessity. We will also make decisions regarding the Section 58 Facilities and the proposed tolling methodology for the Project.

We will hold a public hearing in which a panel of the Board's members will receive written evidence. The hearing will also include an oral portion. This panel will review and consider all of the evidence on the record, and only the evidence on the record, before making the Board's recommendation and decisions.

The steps, deadlines and information assembled in this document are all designed to provide a fair, transparent and efficient hearing process.

In advancing this objective, the Board wishes to advise that one of the Board members assigned to the panel to hear this Application, Mr. Shane Parrish, previously provided consulting services to the Fort Nelson First Nation (FNFN), with whom NGTL has engaged as part of its Application. Mr. Parrish's work in this context involved the provision of advice relating to FNFN business development, and the negotiation for economic benefits relating to oil and gas development activity on the FNFN's behalf.

From January 2010 until April of 2011, Mr. Parrish provided these services through his company Shane Parrish Consulting Services Limited, which during this time, was subcontracted to Mel Benson Management Services Ltd., a company directly employed by the FNFN. From January 2009 until December of 2009, Mr. Parrish provided his services directly to the FNFN through his company Shane Parrish Consulting Services Limited. Mr. Parrish's work during this particular

tenure included negotiating on behalf of the FNFN with TransCanada Pipelines Limited, the parent company of NGTL.

At no point during his work for, or on behalf of, the FNFN was Mr. Parrish involved in matters specifically involving NGTL's North Montney Project, or its application that is currently before the Board. Mr. Parrish has no pecuniary interest in the FNFN.

If any person has concerns regarding Mr. Parrish's participation on this panel, they should file them with the Board in writing, and serve a copy on the Applicant (NGTL) at the contact information listed at section 2.3, by **noon (Calgary time) on 18 February 2014**.

1.5 Is this a Project a “designated project” under the *Canadian Environmental Assessment Act, 2012*?

Yes. Since the proposed Project is more than 40 km of new pipeline, it is designated under the *Canadian Environmental Assessment Act, 2012* (CEAA, 2012) and *Regulations Designating Physical Activities*. As a result, it requires a CEAA, 2012 environmental assessment for which the Board is the Responsible Authority.

1.6 What is this document about?

This document is referred to as Hearing Order GH-001-2014. It explains:

- how you may apply to participate in the hearing;
- the Issues we will consider;
- steps and deadlines;
- procedures; and
- where you can get more information.

For an explanation of the frequently used terms in this document and throughout the hearing process, please see [Appendix VII](#).

1.7 Where can I see the NGTL Application?

You will find the Application on our website at: <http://www.neb-one.gc.ca> under “Major Applications and Projects”. Alternatively you may click “View” under the “Regulatory Documents” heading on the home page, then select “Active Hearings” and select “Nova Gas Transmission Ltd. – Application for the North Montney Project (GH-001-2014)”.

You can also view the Application at the locations listed in [Appendix III](#). You can also ask NGTL to send you a copy. NGTL's contact information can be found in section 2.3.

1.8 Where can I get help or more information?

Our website has helpful publications about the hearing process in general. To learn more, click “Hearings and Information Sessions” on the left hand side of our home page, and then click “Participate in a Public Hearing”.

The Board’s Process Advisor for this Project can also provide you with information on the process and how to participate. [Appendix IV](#) explains the role of the Process Advisor and tells you how to contact that person.

2 Participation

2.1 Can I participate in this hearing?

Pursuant to section 55.2 of the NEB Act, the Board will determine who may participate in this hearing. If you wish to participate, you must fill out the “Application to Participate” form, a link to which is located on the Board’s home page, www.neb-one.gc.ca. Click on “Major Applications and Projects” located on the left hand side of the main webpage, then click on “Nova Gas Transmission Ltd. – North Montney Project”, and then click on “Apply to Participate”. The online form will be available on the website on **18 February 2014**.

To be eligible to participate, you must demonstrate in your application that:

- you are directly affected by the Project; or
- you have relevant expertise or information that will assist the Board in making its decision and recommendation in respect of the NGTL Application.

You must submit your online “Application to Participate” form by **noon (Calgary Time) on 19 March 2014**.

2.2 How can I participate in this hearing?

Those persons whom the Board determines are eligible to participate in the hearing are referred to as “Participants”. NGTL, as the applicant, is also a Participant. If we allow you to participate, it will be as either a **Commenter** or an **Intervenor**.

2.3 Participating as a Commenter

Commenters participate by submitting a Letter of Comment with the Board. Submitting a Letter of Comment allows you to contribute your views and thereby assist the Board in making its decisions and recommendation. When filed, your Letter of Comment becomes part of the official record of the hearing. Commenters do not ask questions about other Participants’ evidence or make a final argument at the oral portion of the hearing.

Commenters must file their Letter of Comment by (you must do both “a” and “b”):

a) Sending your letter to us:

- using the “Electronic Document Submission” feature on our website, or
- by mail, fax or courier (see section 5.1 for our contact information);

and

b) Sending a copy of your letter to NGTL and its counsel at:

Linda Angus
Senior Project Manager
Regulatory Services
NOVA Gas Transmission
Limited
450 – 1 St S.W.
Calgary, AB T2P 5H1
Facsimile: 403-920-2347

Kevin Thrasher
Senior Legal Counsel
Law and Regulatory Research
TransCanada PipeLines
Limited
450 – 1 St S.W.
Calgary, AB T2P 5H1
Facsimile: 403-920-2354

Shawn H.T. Denstedt, QC
Osler, Hoskin & Harcourt LLP
Suite 2500, TransCanada Tower
450 – 1 Street S.W.
Calgary, AB T2P 5H1
Facsimile: (403) 260-7024

Letters of Comment must reference Hearing Order GH-001-2014 and File Number OF-Fac-Gas-N081-2013-10 02 and also include:

- your contact information;
- the name of your organization, if you represent one;
- comments on how you will be impacted positively or negatively by the Project; and
- any information that explains or supports your comments.

If the Board has determined that you may participate as a Commenter, you must submit your Letter of Comment by **noon (Calgary Time) on 19 June 2014**.

2.4 Participating as an Intervenor

Participating as an Intervenor can require a substantial commitment of time, and may involve some costs to prepare your evidence. You can speak to the Process Advisor for further information.

Participating as an Intervenor allows you to:

- apply for participant funding assistance;
- submit written evidence;
- ask questions in writing and orally about the Applicant’s and other Intervenors’ evidence;
- submit and respond to motions; and
- make a final argument.

Intervenors must:

- provide copies of their written evidence and related documents to NGTL and other Intervenors;
- in writing, answer any written questions asked about their evidence; and

- participate in any oral portion of the hearing if anyone plans to ask questions about your evidence.

Intervenors will be notified of all documents that are filed on the Board's public registry. This includes the Application, evidence and all related materials on the record. You can find the public registry on our website (see section 1.6 above).

If the Board has determined that you may participate as an Intervenor, you must submit your written evidence before **noon (Calgary Time) on 19 June 2014**.

2.5 Is the hearing open to the public?

The hearing is public and anyone can follow it by:

- accessing information about this hearing on our website (see section 1.6 for access information);
- attending the oral portion of the hearing in person;
- reading the evidence on the record that has been filed on the public registry;
- listening to live broadcasts of the oral portion of the hearing through our website; and,
- reading the daily transcripts of the hearing.

3 Steps in the hearing

This section describes the steps in the hearing process. [Appendix II](#) shows the timetable of events and deadlines.

3.1 The Board's Legislated Time Limit

On **21 January 2014** the Board determined that this Application was complete and the Board's assessment could begin. The Board must submit its Report on the Project no later than **21 April 2015**, subject to any modifications to the time limit permitted under the NEB Act.

3.2 The List of Issues

The Issues that we will consider in this hearing are limited to those listed in [Appendix I](#).

3.3 Interested persons apply to participate

Refer to section 2.1 for how to apply to participate in this hearing. Applications to Participate (ATP) must be filed with the Board by **19 March 2014**.

3.4 The Board releases List of Participants

We will release the List of Participants no later than **21 April 2014**. If you are a Participant, you must notify us if your contact information changes.

The List of Participants will indicate how NGTL and the Intervenors wish to be served with documents.

3.5 NGTL serves the Application

Immediately after the Board publishes the List of Participants, NGTL must serve a copy of its application and all related documents on each Intervenor who has not already received a copy.

3.6 NGTL submits any Additional Evidence

By **noon (Calgary Time) on 28 April 2014**, NGTL must file with us any additional written evidence to supplement its Application, and it must serve a copy on all Intervenors.

3.7 Information Requests to NGTL

All Intervenors may ask questions of NGTL. Their questions are to be in writing and they are referred to as Information Requests. Every Information Request must be relevant to one or more of the Issues identified in [Appendix I](#).

To submit Information Requests to NGTL, an Intervenor must:

- file the Information Requests with the Board;
- serve it on NGTL and its counsel; and
- serve it on all other Intervenors.

The deadline for submitting the Information Requests to NGTL is **noon (Calgary Time) on 29 May 2014**.

3.8 NGTL responds to Information Requests

NGTL must file with the Board its responses to all Information Requests, and serve a copy on all Intervenors. The deadline for NGTL to do so is **noon (Calgary Time) on 12 June 2014**.

3.9 Intervenors submit written evidence

Intervenors who wish to submit written evidence must file it with the Board, and serve a copy on NGTL and all other Intervenors. The deadline for submitting written evidence is **noon (Calgary Time) on 19 June 2014**.

The evidence to be filed must be relevant to one or more of the Issues listed on [Appendix I](#).

3.10 Information Requests to Intervenors

If NGTL or Intervenors wish to serve an Information Request pertaining to the evidence of another Intervenor, they must:

- file the Information Requests with the Board;
- serve them on the Intervenor they wish to respond to the questions; and
- serve a copy on all other Intervenors.

The Information Requests must be relevant to the List of Issues identified in [Appendix I](#). The deadline for submitting these information requests is **noon (Calgary Time) on 21 July 2014**.

3.11 Intervenors respond to Information Requests

Intervenors must respond to the Information Requests they receive, serve a copy of their responses on NGTL and all other Intervenors, and file a copy with us.

The deadline for responding to these Information Requests is **noon (Calgary Time) on 4 August 2014**.

3.12 NGTL submits reply evidence

NGTL may file with the Board, and serve a copy on all Intervenors, further written evidence in reply to any letters of comment and Intervenor evidence on the record.

The deadline for filing any written reply evidence is **noon (Calgary Time) on 11 August 2014**.

3.13 Oral portion of the hearing

The oral portion of the hearing will be divided into two sections which reflect the parts of the NEB Act that NGTL has applied to the Board under. These are the Part III - Facilities section and the Part IV - Tolls and Tariffs section.

The Part III Facilities oral portion of the hearing will begin on **19 August 2014** in Fort St. John, British Columbia. The venue location and anticipated length of this portion (or number of days) will be communicated at a later date.

The Part IV Tolls and Tariffs oral portion of the hearing will begin on **8 September 2014** in Calgary, Alberta. The venue location and anticipated length of this portion (or number of days) will be communicated at a later date.

3.14 The Board closes the record

After the oral portion of the hearing, we will close the record, meaning we will not accept any new evidence. Before the Board makes its recommendation for the Section 52 Facilities and its

decision on whether to approve the Section 58 Facilities and Part IV matters, it will consider all relevant evidence on the record.

For the proposed Section 52 Facilities, the Board will submit its Report containing the Board's recommendations to Governor in Council. The Report may include conditions to be attached to any recommendation or authorization that may be issued. This Report will be posted on the Board's website and be accessible to the public. The Board will notify NGTL and Intervenor when it is released. The Minister will then make a decision on the Section 52 Facilities application.

4 Procedures

4.1 How do I prepare documents?

Every document you file with us or serve on NGTL or Intervenor must refer to Hearing Order GH-001-2014 and File Number OF-Fac-Gas-N081-2013-10 02.

Address the document(s) to the proper person. For example, anything submitted to the Board should be addressed to the Secretary of the Board. Documents submitted to others should be addressed to them using the List of Participants as a guide.

Except for online forms, sign any document you file with us before you scan and send the original and signed receipt to the Board.

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;
- make sure the reader does not require a password or subscription to get the information; and
- file a hard copy with us of all the information you are referring to.

4.2 How do I submit documents to the Board?

You may submit documents to the Board by filing them electronically (**e-file**).

4.2.1 How do I e-file documents?

To e-file documents, follow these steps:

- Prepare the document as explained in section 4.1.
- Go to our website, www.neb-one.gc.ca. Under “Regulatory Documents”, click on “Submit” and follow the instructions. Refer to the “Filers Guide to Electronic Submission” on the Board’s website for more information, and see section 4.2.4 for additional help.
- You will receive an e-mail containing a submission receipt. Print the submission receipt and sign it.
- Send one hard copy of the e-filed document(s) and one hard copy of the signed submission receipt to us by mail, fax, hand delivery or courier. See section 5.1 for our contact information.

4.2.2 What if I can’t e-file documents?

If you are able to e-file documents, we expect you to do so. However, if you cannot do so, you may submit documents in person, by mail, fax or courier.

- Prepare the document as explained in section 4.1.
- Hand deliver, mail, fax, or courier one copy of each document to us. See section 5.1 for our contact information.

Please note that you cannot e-file or submit documents by way of e-mail

4.2.3 Filing documents during the oral portion of the hearing

If you wish to file a document after the oral hearing has started and the Board has accepted it for receipt onto the Record, you must:

- Follow the instructions above for filing documents;
- Give six hard copies of your new document(s) to the Regulatory Officer; and
- Make enough hard copies available to those in the hearing room who may need it. This could include NGTL, a witness panel or other Intervenors who may be attending.

4.2.4 Who can help me with filing my documents?

Contact the Board’s Regulatory Officer. See section 5.1.

4.3 How do I serve documents on others?

When you are required to serve documents, you must send a copy to NGTL and its counsel, and to each Intervenor on the List of Participants.

NGTL and Intervenors who can access documents on our website must be notified by e-mail that a document has been filed and is available on the Board’s website.

If the List of Participants indicates an Intervenor is unable to access electronic documents, you must provide that person with a hard copy. The method of service for each Intervenor will be indicated on the List of Participants.

You can also contact our Regulatory Officer for assistance with e-filing your documents.

If your document cannot be scanned, (for example, if it is too large), you must mail, fax, courier or deliver by hand one copy to the Board and to NGTL and all Intervenors. Board staff will scan your document and place it on the Board's website.

4.4 How to meet deadlines

Our deadlines are set to provide fairness, efficiency and certainty to all Participants. You must file and serve any documents by **noon (Calgary time)** on the deadline.

4.5 How do I raise a question of procedure or substance that requires a Board decision?

If you want to ask the Board to do something, such as consider a change to the process, you must submit a request to the Board. This is called a Notice of Motion.

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; and
- be served on NGTL, and all Intervenors.

The Notice of Motion must set out:

- a concise statement of the facts;
- the decision or relief requested;
- the grounds for the request; and
- any information which supports the request.

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

If you would like to make a motion during the oral hearing, it may be raised orally as a preliminary matter or during cross examination. You should present the same information as required for written motions.

For further information on Notices of Motion, see section 35 of the [National Energy Board Rules of Practice and Procedure, 1995 \(Rules\)](#). The Rules can be accessed on the Board's website.

4.6 Will you keep my evidence confidential?

All evidence the Board accepts for this hearing will be on the public record unless you file a Notice of Motion for confidentiality under sections 16.1 or 16.2 of the NEB Act and the Board grants your request.

4.7 Where can I find more detailed information about hearing procedures?

The [Rules](#) provide detailed information about the hearing process. In the event of a discrepancy between the Rules and this Hearing Order, this Hearing Order prevails.

You may also contact the Process Advisor. See [Appendix IV](#).

5 Additional Information

5.1 Our contact information for filing documents

Secretary of the Board
National Energy Board
444 Seventh Avenue S.W.
Calgary, AB T2P 0X8
Phone: (403) 292-4800
Toll-free phone: 1-800-899-1265
Fax: (403) 292-5503
Toll free fax: 1-877-288-8803

If you need help with filing documents, need assistance with evidence or exhibits during the hearing or if you have general enquiries, please contact the Regulatory Officer at:

Ms. Louise Niro
e-mail: louise.niro@neb-one.gc.ca
Phone: (403) 299-3987
Toll-free phone: 1-800-899-1265

5.2 Information sessions or workshops

Our Process Advisor for this hearing can organize information sessions or workshops to provide you with a general overview of the Board's hearing process and provide you with information on our participant funding program. If you have questions about the hearing, or how to participate, you may contact the Process Advisor at:

Ms. Katie Emond
e-mail: NorthMontneyProject@neb-one.gc.ca
Toll-free phone: 1-800-899-1265

5.3 Publications and Transcripts

5.3.1 Publications

For any of our publications, you may visit our website or contact our library at:

publications@neb-one.gc.ca
Phone 403-299-3561
Toll-free phone: 1-800-899-1265 (toll free)
444 Seventh Avenue SW
Calgary, Alberta
T2P 0X8

5.3.2 Transcripts

The oral portion of the hearing will be recorded and transcribed daily. Transcripts will be available through the Board's Internet site at www.neb-one.gc.ca. Click on "View" under Regulatory Documents and then "Active Hearings" and scroll to "Nova Gas Transmission Ltd. – Application for the North Montney Project (GH-001-2014)".

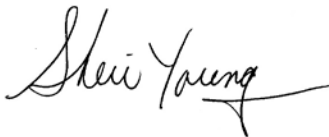
You can also order transcripts directly from International Reporting Inc. either at the hearing, by e-mailing bprouse@irri.net or by calling 613-748-6043.

5.4 Our library

You can view a copy of NGTL's Application in our library. The library is also an excellent source of information about energy matters. You can reach the library at:

library@neb-one.gc.ca
Phone: (403) 299-3561
Toll-free phone: 1-800-899-1265 (toll free)
444 Seventh Avenue SW
Calgary, AB T2P 0X8

NATIONAL ENERGY BOARD



Sheri Young
Secretary of the Board

Appendix I – List of Issues

The Board will consider the following issues in this hearing:

1. The need for the proposed Project.
2. The economic feasibility of the proposed Project.
3. The potential commercial impacts of the proposed Project.
4. The appropriate tolling methodology.
5. Standards for determining the recovery of costs to provide service on the proposed Project.
6. The potential environmental and socio-economic effects of the proposed Project, including those to be considered under the *Canadian Environmental Assessment Act, 2012*.
7. The appropriateness of the general route and land requirements for the proposed Project.
8. The engineering design and integrity of the proposed Project.
9. Potential impacts of the proposed Project on Aboriginal interests.
10. Potential impacts of the proposed Project on landowners and land use.
11. Contingency planning for spills, accidents or malfunctions, during construction and operation of the Project.
12. The terms and conditions to be included in any approval or recommendation.

Appendix II – Timetable of Events

Events	Hearing Order Reference	Responsible Participant	Date or Deadline (noon Calgary time)
NGTL's Project application to the Board	N/A	NGTL	8 November 2013
Determination of Project application completeness and time limit	3.1	Board	21 January 2014
Issue Hearing Order GH-001-2014		Board	5 February 2014
Apply to the Board to participate	3.3	Interested persons	19 March 2014
Issue List of Participants	3.4	Board	No later than 21 April 2014
Serve Project Application on all Intervenor	3.5	NGTL	Immediately after receiving the List of Participants
Submit additional written evidence	3.6	NGTL	28 April 2014
Information Requests to NGTL	3.7	Board and Intervenor	29 May 2014
Responds to Information Requests	3.8	NGTL	12 June 2014
Submit written evidence	3.9	Intervenor	19 June 2014
Submit Letter of Comment	2.3	Commenters	19 June 2014

Events	Hearing Order Reference	Responsible Participant	Date or Deadline (noon Calgary time)
Information Requests to Intervenor	3.10	Board, NGTL, other Intervenor	21 July 2014
Respond to Information Requests	3.11	Intervenor	4 August 2014
Submit reply evidence	3.12	NGTL	11 August 2014
Begin oral portion of the hearing Fort St. John, British Columbia with respect to the Part III – Facilities portion of the application	3.13	NGTL and Intervenor	19 August 2014 (start time to be determined)
Begin oral portion of the hearing Calgary, Alberta with respect to the Part IV – Tolls and Tariffs portion of the application	3.13	NGTL and Intervenor	8 September 2014 (start time to be determined)

Appendix III – Where can I see the Application?

NGTL will make available for public viewing, during normal business hours, a copy of its application and all related documents at the following locations:

NGTL's Office

450 – 1 Street S.W.
Calgary, AB T2P 5H1
Phone: (403) 920-2000

Chetwynd Public Library

5012 - 46th Street
P.O. Box 1420
Chetwynd, BC V0C 1J0
Phone: (250) 785-3731

Fort St. John Public Library

10015 100 Avenue
Fort St John, BC V1J 1Y7
Phone: (250) 785-3731

Hudson's Hope Public Library

9905 Dudley Drive
Box 269
Hudson's Hope, B.C V0C 1V0
Phone: (250) 783-9414

Copies of NGTL's Application and all related documents are available for viewing at the Board's library:

National Energy Board

Main Floor, 444 – 7th Avenue SW
Calgary, AB T2P 0X8
Phone: (403) 299-3561
Toll free: 1-800-899-1265

Appendix IV – Process Advisor

The Board has assigned Ms. Katie Emond as the Process Advisor for this Project.

If you are thinking about applying to participate in the Board’s hearing for this Project, Katie Emond can provide you with assistance.

Ms. Emond can:

1. Answer your questions about the Board’s hearing process
2. Explain the different ways you may participate (intervenor, letter of comment) and what you can and cannot do in these roles.
3. Organize and run public information sessions and workshops
4. Answer questions about the Participant Funding Program and how to apply
5. Discuss how you can apply to participate in the process
6. Provide samples and templates and answer your questions about them
7. Explain your role in the hearing
8. Answer your process questions in person during the oral portion of the hearing

Ms. Emond cannot:

1. Make your case for you. That means, she cannot:
 - a. Interpret the evidence for you
 - b. Tell you what information you should give to the Panel Members
 - c. Tell you how to best present your information
 - d. Write your questions or evidence
2. Talk to the Panel Members on your behalf
3. Talk to NGTL on your behalf

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

Appendix V – Guidance on who may participate

Section 55.2 of the *National Energy Board Act*¹ (NEB Act)

The NEB Act sets out when the National Energy Board (Board) will allow a person² to participate in a hearing to consider an application to construct and operate a pipeline or power line.³

Persons wishing to participate must demonstrate to the Board's satisfaction that they fall within one or both of the two categories described in the NEB Act and set out below.

Directly Affected Person

The Board must hear from any person who, in the Board's opinion, is directly affected by the granting or refusing of a project application. The Board decides on a case-by-case basis who is directly affected. The Board may consider these factors when making this decision:

1. The nature of the person's interest.
 - Whether a person has a specific and detailed interest, rather than a general public interest.
 - Examples of interests that could support participation are:
 - commercial, property or other financial interest (including employment);
 - personal use and occupancy of land and resources; or
 - use of land and resources for traditional Aboriginal purposes.
2. Whether the granting or refusing of a project application causes a direct effect on the person's interest.
 - The degree of connection between the project and the interest.
 - The likelihood and severity of harm a person is exposed to.
 - The frequency and duration of a person's use of the area near the project.

¹ Section 55.2 of the NEB Act states:

On an application for a certificate, the Board shall consider the representations of any person who, in the Board's opinion, is directly affected by the granting or refusing of the application, and it may consider the representations of any person who, in its opinion, has relevant information or expertise. A decision of the Board as to whether it will consider the representations of any person is conclusive.

² The word "person" includes an individual, company, organization or group.

³ Specifically, this guidance applies to applications made under sections 52, 58 and 58.16 of the NEB Act.

Relevant Information or Expertise

The Board may choose to hear from any person who, in the Board's opinion, has relevant information or expertise.

1. The Board may consider these factors when deciding if a person has relevant information:
 - the source of the person's knowledge (for example, local, regional or Aboriginal);
 - the extent to which the information is within the project scope and related to the list of issues; and
 - how much value the information will add to the Board's decision or recommendation.
2. The Board may consider these factors when deciding if a person has relevant expertise:
 - the person's qualifications (for example, the person has specialist knowledge and experience);
 - the extent to which the person's expertise is within the project scope and related to the List of Issues; and
 - how much value the information will add to the Board's decision or recommendation.

Appendix VI – 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 application submitted by NOVA Gas Transmission Ltd. for the proposed North Montney Project
Application to Participate (ATP)	Pursuant to section 55.2 of the NEB Act, the Board will determine who may participate in this hearing. If you wish to participate, you must fill out the “Application to Participate” form, a link to which is located on the Board’s home page, www.neb-one.gc.ca , click on “Major Applications and Projects” located on the left hand side of the main webpage, then click on “Nova Gas Transmission Ltd. – North Montney Project”, then click on “Apply to Participate”.
Board or NEB	National Energy Board
Certificate	Certificate of Public Convenience and Necessity issued under section 52 of the <i>National Energy Board Act</i>
Designated Project	A project designated under the <i>Canadian Environmental Assessment Act, 2012</i> as requiring a federal environmental assessment under the Act [<i>CEAA 2012</i> , ss.2(1)]
e-file	Filing documents electronically with the Board
evidence	Testimony and documents (including statements, responses, reports, photographs, and other material or information) that applicants and intervenors submit as part of the record. Evidence is used to prove or disprove an alleged fact to support a position on the application.
file	Formally submitting documents to the Board
final argument	The position of NGTL and Intervenors on the recommendations and decisions the Board should or should not make and the reasons why the evidence supports those recommendations and decisions. This may be done orally at the hearing or in writing, as directed by the Board.
Governor in Council	The Governor General acting on the advice of the Federal Cabinet.

hearing or public hearing	A public process used by the Board to gather and test evidence so it can make fair and transparent recommendations and decisions. The hearing includes a written portion and may include an oral portion.
Information Request or IR	A written question about NGTL's or an Intervenor's evidence.
Intervenor	A person who has applied to participate in the hearing and has been permitted by the Board to participate as an Intervenor.
Issue	A matter or subject set out by the Board as an "Issue" in the List of Issues for this hearing.
List of Issues	See Appendix I
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 the Board to do something. The Board makes a decision about any motions it receives by way of Notice of Motion.
oral hearing	The oral portion of the hearing
Order	A Board Order including one made under section 58 of the NEB Act, exempting certain facilities from specific provisions of the NEB Act. In this case NGTL requests an Order relieving it from subsections 31(c), 31(d) and sections 33 of the NEB Act for its proposed temporary infrastructure and right-of-way preparation activities along the proposed Aitken Creek section.
Part IV	A part of the NEB Act entitled "Traffic, Tolls and Tariffs" under which NGTL has applied for a determination respecting its proposed tolling methodology for the Project.
Participant	A person who has applied to participate in the hearing and whose application to participate has been approved by the Board. The term Participants includes the Applicant (NGTL), and any Intervenors and Commenters.
Process Advisor	Board staff assigned to provide assistance to the public, landowners, Aboriginal groups, and Participants to help them understand the process, the different roles of the hearing participants, and how to participate in the hearing.

Project	NGTL’s proposed North Montney Project
public registry	An online repository for written materials filed with the Board. It is the record that is available to the public on the Board’s website. In most cases the public registry and the record include the same information. However, in exceptional circumstances, the Board may decide that certain information can be filed confidentially. This information is part of the record, but not available on the public registry. The online repository contains a specific folder for this Project, which may be found on the Board’s website at www.neb-one.gc.ca under “Regulatory Documents” heading, click on “View”, then select “Active Hearings” and select “Nova Gas Transmission Ltd. – Application for the North Montney Project (GH-001-2014)”.
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, for example.
Regulatory Officer	Board staff assigned to assist Participants, manages documentation before, during and after the hearing, performs duties at the hearing similar to those of a court clerk and manages the post-hearing process.
reply evidence	Additional information NGTL may file in reply to submissions filed by other Participants.
Report	A Report delivered by the Board to the Governor in Council that sets out the recommendation as to whether the Certificate should be granted for all or any portion of the Project and the reasons for the recommendation. When making the recommendation, the Board will take into account whether the Project is or will be required for the present and future public convenience and necessity. This Report may also contain the Board’s decisions in respect of NGTL’s section 58 facilities and Part IV application.
Section 52 Facility	NGTL’s proposed construction of a new 1067 mm nominal pipe size (NPS 42) sweet natural gas pipeline, approximately 180.9 kilometres in length, from an interconnection with the existing Saturn section of the Groundbirch Mainline (Saturn Section) at 14-21-80-20 W6M to a point located in Unit 44, Block L, Group 94-A-13 (Aitken Creek section); construction of a new 1067 mm nominal pipe size (NPS 42) sweet natural

gas pipeline, approximately 125 km in length, from the Aitken Creek section located in Unit 44, Block L, Group 94-A-13 to a point located in Unit 39, Block C, Group 94-G-10 (Kahta Creek section); construction of three new compressor stations with bi-directional capability, two on the Aitken Creek section and one along the existing Groundbirch Mainline; construction of fifteen new meter stations along the North Montney Mainline and other associated facilities.

Section 58 Facilities

NGTL's proposed construction of temporary infrastructure and right-of-way preparation activities required for construction of the Aitken Creek section and related meter station sites.

serve

Officially providing a document to the applicable Participant, such as NGTL or Intervenors. Participants will usually receive electronic notice (via e-mail) that a document is available on the public registry however there may be circumstances where a document may need to be provided (or served) to NGTL or Intervenors by mail or fax.

the Rules

the [National Energy Board Rules of Practice and Procedure, 1995](#) provides guidance on the Board's procedures. The Rules can be accessed on the Board's website.