



AUC

Alberta Utilities Commission

ATCO Gas and Pipelines Ltd. (South)

Pipeline Route Amendment

Township 48, Range 18, West of the Fourth Meridian

August 26, 2011

The Alberta Utilities Commission

Decision 2011-354: ATCO Gas and Pipelines Ltd. (South)

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Township 48, Range 18, West of the Fourth Meridian

Application No. 1607591

Proceeding ID No. 1398

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1 Introduction

1. ATCO Gas and Pipelines Ltd. (South) (ATCO) filed an application with the Alberta Utilities Commission (AUC or the Commission) seeking approval for an amendment to Permit and Licence No. 2526 pursuant to Section 11 of the *Pipeline Act* and Section 4.1 of the *Gas Utilities Act* for the following:

- mapping amendment to reflect a proposed route change to a portion of Line 130
- length amendment of Line 130

(the project).

2. The application was registered on August 17, 2011, as Application No. 1607591.

3. ATCO stated the Southern Extension Pipeline replacement phase 3 was approved under Decision [2011-129](#),¹ Application No. 1607026, Proceeding ID No.1088, on April 1, 2011. Construction of phase 3 commenced in June of 2011, and in late July, it was discovered that a re-route would be required in NW 21-48-18-W4M and SW 28-48-18-W4M due to the unforeseen inundation of a Class IV wetland as a result of heavy rainfall and beaver activity in the area. The re-route shifts approximately one kilometre of the proposed right-of-way 120 metres to 260 metres east of the original alignment to avoid crossing the Class IV wetland.

4. In late July, the re-route was discussed with the affected landowners, who gave permission to complete surveys of the area. ATCO stated that substitution of survey plan approval from the two affected landowners was obtained on August 2 and August 5, 2011. ATCO stated that the services of TERA Environmental Consultants (TERA) were engaged to complete soil, wetland, vegetation and wildlife surveys, as well as a historical resource impact assessment of the re-route area. Based on their assessments, a revised Code of Practice Notification was submitted to Alberta Environment on August 3, 2011, for the additional crossings of two Class III wetlands. The response was received on August 8, 2011. A letter requesting *Historical Resource Act* clearance for the re-route was submitted to Alberta Culture and Community Spirit on August 3, 2011. TERA also submitted a supplemental report to Alberta Environment detailing survey results for the reroute on August 15. This supplemental report is related to the conservation and reclamation (C&R) plan which submitted to Alberta Environment for approval in September of 2010. Approval for the C&R plan (Approval No. 276985-00-00) was received on February 7, 2011. ATCO stated that

¹ Decision 2011-129: ATCO Gas and Pipelines Ltd. (South) New Construction – Townships 46, 47, 48 and 49, Ranges 17, 18, 19, 20, 21 and 22, West of the Fourth Meridian, Application No. 1607026, Proceeding ID No. 1088, April 1, 2011.

environmental inspectors would be on site for the duration of construction activities to ensure compliance with all approvals.

5. In its submission, ATCO stated that the requirements of the consultation and notification program were met and that no outstanding objections or concerns remain in regards to the application.

2 Findings

6. The Commission considered ATCO's submission that a participant involvement program has been conducted and that there are no outstanding public or industry objections or concerns.

7. The Commission has reviewed the application and has determined that it meets the requirements as stipulated in AUC Rule 020: *Rules Respecting Gas Utility Pipelines*.

8. Due to the nature of the application, a notice of application was not issued and, therefore, a hearing was not required as the Commission considered that its decision or order would not directly and adversely affect the rights of a person pursuant to Section 9 of the *Alberta Utilities Commission Act*.

9. The Commission finds that the project is necessary to avoid crossing the Class IV wetland.

10. The Commission notes that the mapping amendment of Line 130 is required to properly represent the pipeline on the base map.

11. The Commission also notes that the length amendment of Line 130 is required to properly represent the pipeline operation in the pipeline database.

12. Based on the foregoing, the Commission considers the project to be in the public interest in accordance with Section 17 of the *Alberta Utilities Commission Act*.

3 Decision

13. Pursuant to Section 11 of the *Pipeline Act* and Section 4.1 of the *Gas Utilities Act*, the Commission approves the amendment to Permit and Licence No. 2526 and grants ATCO the amended permit and licence as set out in Appendix 1 – Gas Utility Pipeline – Pipeline Route Amendment – Permit and Licence No. 2526 – August 26, 2011 (Appendix 1 will be distributed separately).

Dated on August 26, 2011.

The Alberta Utilities Commission

(original signed by)

Tudor Beattie, QC
Commission Member