



File OF-Tolls-Group1-T211-2011-05 01
8 December 2011

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Mr. Patrick M. Keys
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Mr. C. Kemm Yates, Q.C.
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LLP
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Dear Mr. Pelletier, Mr. Keys and Mr. Yates:

**TransCanada PipeLines Limited (TransCanada)
Application for Approval of Mainline Interim 2012 Tolls**

The National Energy Board has received TransCanada's 16 November 2011 application (Application), requesting that the Board approve Mainline Interim 2012 Tolls, effective 1 January 2012.

In addition, pursuant to the Board's letter dated 22 November 2011, the Board has received comments dated 28 November 2011 from interested parties, and TransCanada's reply comments dated 2 December 2011. The Board also acknowledges a letter from the Association of Power Producers of Ontario dated 7 December 2011.

As has been stated in the past, a decision to approve interim tolls is, in no way, a ruling by the Board as to the merits of any case presented by an applicant or by interested parties to set final tolls. In light of the limited filings in an application to set or amend interim tolls, absent compelling evidence to the contrary, interim tolls are normally established in a manner that aligns with the Board's most recent decision which relates to a company's final tolls.

In the case of TransCanada's Application, the most recent decision on the Mainline's final tolls is the 9 September 2011 decision where the Board issued Order TG-007-2011. The Board notes that TransCanada's Application aligns with this most recent decision on the Mainline's final tolls.

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The Board also notes the alternative position taken by the Association of Power Producers of Ontario, Brooklyn Navy Yard Cogeneration Partners LP, and York Energy Centre LP and Goreway Station Partnership LP that the Mainline Interim 2012 Tolls should be set at the level of 2010 final tolls. Reverting to 2010 final tolls on an interim basis would not align with the most recent decision on Mainline's final tolls and the Board is of the view that there is no compelling evidence to depart from its usual practice in establishing Mainline Interim 2012 Tolls.

Considering all of the above, the Board has decided to approve the Application as filed. The attached Order TGI-004-2011 sets the current Mainline tolls as interim, effective 1 January 2012.

TransCanada is directed to serve a copy of this letter and attached Order on all parties to the RH-003-2011 proceeding, the Mainline Tolls Task Force and Mainline shippers.

Yours truly,

A handwritten signature in blue ink, appearing to read 'L. George', is positioned above the printed name.

L. George
Acting Secretary of the Board



ORDER TGI-004-2011

IN THE MATTER OF THE *National Energy Board Act*
(Act) and the regulations made thereunder;

AND IN THE MATTER OF THE an application filed with
the National Energy Board by TransCanada PipeLines
Limited (TransCanada) dated 16 November 2011 for
approval of Mainline Interim 2012 Tolls effective
1 January 2012, pursuant to sub-section 19(2) and Part IV of
the Act under File OF-Tolls-Group1-T211-2011-05 01.

BEFORE the Board on 8 December 2011.

WHEREAS TransCanada filed an application dated 16 November 2011, seeking approval for
Mainline Interim 2012 Tolls, effective 1 January 2012;

AND WHEREAS the Board issued a letter dated 22 November 2011 soliciting comments from
interested parties;

AND WHEREAS the Board received letters of comments with respect to the application from a
number of interested parties on 28 November 2011, TransCanada's reply comments dated
2 December 2011, and a letter from the Association of Power Producers of Ontario dated
7 December 2011;

AND WHEREAS the Board has considered the above filings and has decided to approve the
application, as filed;

IT IS ORDERED, pursuant to subsection 19(2) and Part IV of the Act, that TransCanada's
current tolls, which were made effective under Toll Order TG-007-2011, be made interim
effective 1 January 2012, pending any future amending Orders and/or final Order by the Board
concerning TransCanada's 2012 tolls.

NATIONAL ENERGY BOARD

A handwritten signature in blue ink, appearing to read 'L. George'.

L. George
Acting Secretary of the Board