

National Energy  
Board



Office national  
de l'énergie

File OF-Tolls-Group1-F115-2012-02 01  
12 December 2012

Ms. Carolyn Shaw  
Project Manager  
Regulatory Services  
TransCanada PipeLines Limited  
450 1<sup>st</sup> Street S.W.  
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Facsimile 403-920-2347

Ms. Rosemary Stevens  
Legal Counsel  
Law and Regulatory Research  
TransCanada PipeLines Limited  
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Facsimile 403-920-2347

Dear Ms. Shaw and Ms. Stevens

**Foothills Pipe Lines Ltd. (Foothills) Application for 2013 Interim Tolls  
Effective 1 January 2013 (the Application)**

The Board has examined Foothills' Application dated 31 October 2012.

The Board has decided to approve the 2013 interim tolls as filed. The interim tolls were determined based on the methodology approved by the Board in TG-8-2004, as amended by Order TG-03-2007, and reflect Foothills' last approved rate of return on equity and capital structure.

The Board notes that Foothills provided the 2013 interim tolls to Foothills system shippers and interested parties, and that Foothills' shippers were copied on the Application. The Board has not received any comments on the Application.

The Board notes that the methodology proposed to determine 2013 interim tolls has been applied for without prejudice to any positions that Foothills or another party may advance for the determination 2013 final tolls. The cost of capital applicable to Foothills effective 1 January 2013 has not been determined. Foothills indicated that it intends to undertake discussions with shippers and interested parties concerning its 2013 cost of capital. As a result, the nature of a subsequent filing for Foothills' 2013 tolls will depend on the outcomes of the above-noted discussions. Enclosed is a copy of Order TGI-003-2012, which gives effect to this decision.

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The Board directs Foothills to serve a copy of this letter and Order TGI-003-2012 on its shippers and interested parties.

Yours truly,

A handwritten signature in blue ink, appearing to read "S. Young".

*for*  
Sheri Young  
Secretary of the Board

Attachment



**ORDER TGI-003-2012**

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

**IN THE MATTER OF** an application by Foothills Pipe Lines Ltd. (Foothills) with the National Energy Board pursuant to section 19(2) and Part IV of the Act filed with the National Energy Board (Board) under File OF-Tolls-Group1-F115-2012-02 01

**BEFORE** the Board on 12 December 2012.

**WHEREAS** on 31 October 2012, Foothills filed an application dated 31 October 2012 seeking approval for 2013 interim tolls to be effective 1 January 2013 (the Application);

**AND WHEREAS** the 2013 interim tolls were determined based on the methodology approved by the Board in TG-8-2004, as amended by Order TG-03-2007, and reflect Foothills' last approved rate of return on equity and capital structure;

**AND WHEREAS** Foothills intends to hold discussions with shippers concerning its 2013 cost of capital before establishing final 2013 tolls;

**AND WHEREAS** Foothills provided its shippers and interested parties with the 2013 interim tolls and met with them on 16 October 2012, and sent a copy of the Application to its shippers;

**AND WHEREAS** no person has commented on the Application;

**AND WHEREAS** the Board has considered the Application and has decided to approve the Application as filed;

**THEREFORE, IT IS ORDERED** pursuant to subsection 19(2) and Part IV of the Act that Foothills' tolls, as contained in the Application, be implemented effective 1 January 2013 on an interim basis pending any future amending Orders or final Order by the Board.

NATIONAL ENERGY BOARD

A handwritten signature in blue ink, appearing to read 'S. Young'.

*for*  
Sheri Young  
Secretary of the Board