

National Energy
Board



Office national
de l'énergie

File OF-Tolls-Group1-M124-2009-04 02
17 March 2010

Mr. Ian Leadley
Manager, Regulatory Affairs
Maritimes & Northeast Pipeline Management Ltd.
Suite 1600
1801 Hollis Street
Halifax, Nova Scotia B3J 3N4
Facsimile 902-420-0253

Dear Mr. Leadley:

**Maritimes & Northeast Pipeline Management Ltd. (M&NP)
Tolls Settlement Agreement and Application for Revised Interim Tolls
2010 Settlement Agreement Effective 1 April 2010**

On 2 March 2010, M&NP applied to the National Energy Board for approval of its 2010 Settlement Agreement and Application for Revised Interim Tolls pursuant to Part IV of the *National Energy Board Act*. M&NP noted that the 2010 Settlement Agreement addresses all issues except the issue arising out of the placement of funds in escrow under the terms of M&NP's financing and, as such, the toll resulting from the 2010 Settlement Agreement will continue to be interim until the escrow issue is resolved. As part of its application, M&NP submitted that its 2010 Settlement Agreement fulfills the requirements of the Board's 12 June 2002 *Revised Guidelines for Negotiated Settlements of Traffic, Tolls and Tariffs*.

M&NP forwarded copies of its application to its Tolls and Tariff Working Group Members and Observers and to Interested Parties in its RH-3-2001 tolls proceeding and requested that they provide comments on the application to the Board and M&NP by 12 March 2010. The Board has received no comments or expressions of opposition to the application.

After considering the application, the Board has decided to approve the 2010 Settlement Agreement and the revised interim toll effective 1 April 2010. The attached Order TGI-01-2010 gives effect to this decision.

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M&NP is directed to provide a copy of this letter and the attached Order to its Tolls and Tariff Working Group and all RH-3-2001 Interested Parties.

Yours truly,

A handwritten signature in black ink that reads "AnneMarie Erickson". The signature is written in a cursive style with a long, sweeping tail on the "n" of Erickson.

Anne-Marie Erickson
Acting Secretary of the Board

Attachment



ORDER TGI-01-2010

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

IN THE MATTER OF an application by Maritimes and Northeast Pipeline Management Ltd. (M&NP) dated 2 March 2010 for approval of revised interim tolls pursuant to subsection 19(2) and Part IV of the Act, filed with the National Energy Board (the Board) under File OF-Tolls-Group1-M124-2009-04 02.

BEFORE the Board on 17 March 2010.

WHEREAS the Board on 17 December 2009 issued Order TGI-05-2009, which authorized M&NP to charge, on an interim basis, effective 1 January 2010, tolls for service, pending a final order of the Board concerning 2010 tolls;

AND WHEREAS M&NP on 2 March 2010 applied to the Board for approval of a settlement agreement relating to 2010 tolls (2010 Settlement Agreement) which had been approved by an unopposed resolution of the M&NP Tolls and Tariff Working Group (TTWG) and an application for revised interim tolls effective 1 April 2010;

AND WHEREAS M&NP forwarded copies of its application to its TTWG Members and Observers and other interested parties and requested that anyone wishing to comment on its application provide their comments to the Board and M&NP by 12 March 2010;

AND WHEREAS the Board has received no comments opposing the application from any TTWG Members, Observers or any other interested parties;

AND WHEREAS the Board has considered M&NP's 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:

1. M&NP shall cease to charge the interim tolls authorized under Order TGI-05-2009 as of the end of the day on 31 March 2010;
2. M&NP's proposed interim tolls, as contained in its application dated 2 March 2010, are made interim effective 1 April 2010, pending a final order of the Board concerning 2010 tolls.

NATIONAL ENERGY BOARD

A handwritten signature in cursive script that reads "AnneMarie Erickson".

Anne-Marie Erickson
Acting Secretary of the Board