

National Energy
Board



Office national
de l'énergie

File OF-Tolls-Group1-T211-2009-08 01
22 December 2009

Mr. Alex Harris
Manager, Regulatory Services
TransCanada PipeLines Limited
450 First Street SW
Calgary, AB T2P 5H1
Facsimile 403-920-2347

Ms. Jennifer Scott
Senior Legal Counsel
Law & Regulatory Research
TransCanada PipeLines Limited
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Dear Mr. Harris and Ms. Scott:

**TransCanada PipeLines Limited (TransCanada)
Application for 2010 Final Tolls**

The Board has received TransCanada's application dated 23 November 2009, supported by Unopposed Tolls Task Force (TTF) Resolution 10.2009, for approval of 2010 final tolls and changes to the multi-year negotiated Mainline settlement. The Board has also received TransCanada's 27 November 2009 filing correcting errors in certain tolls.

On 4 December 2009, the Board issued Order TGI-02-2009 setting the applied-for final 2010 tolls as interim, effective 1 January 2010. Subsequently, the Board received a letter from TransCanada dated 9 December 2009 and letters from the following interested parties: the Canadian Association of Petroleum Producers, Nexen Marketing, EnCana Corporation, Union Gas Limited, the Association of Power Producers of Ontario, Gaz Métro, and Enbridge Gas Distribution Inc. The Board notes that all these interested parties indicated support for the application, and many indicated that having the applied-for tolls final effective 1 January 2010 is a key part of the TTF Resolution.

The Board has considered the application and letters from parties and has decided to approve the application as filed, effective 1 January 2010. Attached is Order TG-06-2009 conveying the Board's decision.

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TransCanada is directed to serve a copy of this letter and the attached Order on all parties to the RH-2-2004 proceeding, its Tolls Task Force and Mainline shippers.

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 final letter.

Anne-Marie Erickson
Acting Secretary of the Board

Attachment



ORDER TG-06-2009

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

IN THE MATTER OF an application filed with the National Energy Board by TransCanada PipeLines Limited (TransCanada) dated 23 November 2009 pursuant to Part IV of the Act for approval of Mainline final tolls effective 1 January 2010 and certain changes to the Mainline multi-year negotiated settlement under file OF-Tolls-Group1-T211-2009-08 01.

BEFORE the Board on 21 December 2009.

WHEREAS the TransCanada filed an application dated 14 March 2007 and supported by unopposed Tolls Task Force (TTF) Resolution 04.2007, and the Board issued Order TG-06-2007 approving TransCanada's multi-year negotiated settlement (Settlement) for Mainline tolls;

AND WHEREAS TransCanada filed an application dated 23 November 2009 for approval of Mainline final tolls, effective 1 January 2010, and certain changes to the Settlement, and relies on unopposed TTF Resolution 10.2009;

AND WHEREAS TransCanada filed revisions to certain of these tolls on 27 November 2009;

AND WHEREAS the 23 and 27 November 2009 application and materials from TransCanada were copied to its TTF, RH-2-2004 List of Parties and Mainline Shippers;

AND WHEREAS on 4 December 2009 the Board issued Order TGI-02-2009 setting the applied-for tolls as interim effective 1 January 2010;

AND WHEREAS the Board is in receipt of letters from TransCanada, the Canadian Association of Petroleum Producers, Nexen Marketing, EnCana Corporation, Union Gas Limited, the Association of Power Producers of Ontario, Gaz Métro, and Enbridge Gas Distribution, regarding TransCanada's application and the need for a timely Board approval of final 2010 tolls;

AND WHEREAS the Board has considered TransCanada's application dated 23 November 2009, as revised by its 27 November 2009 filing, and the letters submitted by TransCanada and other parties related to the application, and has decided to approve the application as filed;

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THEREFORE, IT IS ORDERED, pursuant to Part IV of the Act, that:

1. Order TGI-02-2009 which authorized tolls that TransCanada may charge on an interim basis effective 1 January 2010 is revoked and the tolls that had been authorized thereunder are hereby disallowed;
2. TransCanada's proposed tolls, as contained in its application dated 23 November 2009 and its 27 November 2009 correction, be implemented as final tolls effective 1 January 2010; and
3. The revisions to the Settlement are approved as filed.

NATIONAL ENERGY BOARD

A handwritten signature in black ink that reads "AnneMarie Erickson". The signature is written in a cursive, flowing style.

Anne-Marie Erickson
Acting Secretary of the Board