

National Energy  
Board



Office national  
de l'énergie

File OF-Tolls-Group1-M124-2010-01 0101  
16 June 2011

Mr. Ian Leadley  
Maritimes & Northeast Pipeline Management Ltd  
1600, 1801 Hollis Street  
Halifax, NS B3J 3N4  
Facsimile 902-425-4592

Mr. Laurie Smith and Mr. Nick Gretener  
Bennett Jones LLP  
4500, 855 – 2 Street S.W.  
Calgary, AB T2P 4K7  
Facsimile 403-265-7219

Dear Mr. Leadley, Mr. Smith and Mr. Gretener:

**Maritimes & Northeast Pipeline Management Ltd.  
Application for 2010 Final Tolls (Escrow Issue) dated 26 July 2010  
Hearing Order RH-4-2010**

Further to the National Energy Board's Reasons for Decision issued in June 2011 attached is a copy in English and French of Order TG-03-2011.

Yours truly,

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

Anne-Marie Erickson  
Secretary of the Board

Attachments

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**ORDER TG-03-2011**

**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 Management Ltd.) on behalf of Maritimes & Northeast Pipeline Limited Partnership dated 26 July 2010 for approval of final tolls for 2010 pursuant to Part IV of the Act, filed with the National Energy Board (Board) under File OF-Tolls-Group 1-M124-2010-02 01.

**BEFORE** the Board on 1 June 2011.

**WHEREAS** M&NP Management Ltd. has been authorized to charge tolls for service on an interim basis effective 1 January 2010 under Board Order TGI-05-2009 issued 17 December 2009;

**AND WHEREAS** M&NP Management Ltd. has been authorized to charge tolls for service on an interim basis effective 1 April 2010 in accordance with the terms of the *Maritimes & Northeast Pipeline 2010 Toll Settlement* approved under Board Order TGI-01-2010 issued 17 March 2010;

**AND WHEREAS** on 26 July 2010 M&NP Management Ltd. applied to the Board for approval of final tolls for the period 1 January 2010 to 31 December 2010 reflecting the recovery by M&NP Management Ltd. of an amount equal to \$30.38 million as compensation for funds held in escrow;

**AND WHEREAS** the Board issued Hearing Order RH-4-2010 on 13 October 2010;

**AND WHEREAS** the Hearing was held in Halifax, Nova Scotia from 1-3 March 2011 and in Calgary, Alberta on 23 and 24 March 2011;

**AND WHEREAS** the Board has considered M&NP Management Ltd.'s application and has resolved the escrow issue by deciding that compensation on funds in the Escrow Account is not warranted;

**THEREFORE, IT IS ORDERED**, under Part IV of the Act that the tolls agreed to in the *Maritimes & Northeast Pipeline 2010 Toll Settlement* are approved as final tolls for the period 1 January 2010 to 31 December 2010 with no adjustment to the Total Revenue Requirement for the Escrow Funds.

NATIONAL ENERGY BOARD

A handwritten signature in black ink that reads "Anne-Marie Erickson".

Anne-Marie Erickson  
Secretary of the Board