



File OF-Tolls-Group1-M124-2009-01 01
23 April 2009

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 and Application for Final Tolls
1 January 2009 – 31 December 2009 (2009 Toll Settlement)**

On 31 March 2009, M&NP applied to the National Energy Board for approval of its 2009 Toll Settlement pursuant to Part IV of the *National Energy Board Act*. As part of its application, M&NP submitted that its 2009 Toll Settlement 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 (TTWG) 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 9 April 2009. The Board has received no comments or expressions of opposition to the application.

After considering the 2009 Toll Settlement, the Board is satisfied that the resultant tolls are just and reasonable. On that basis, the Board approves the 2009 Toll Settlement and the final tolls as detailed in the Settlement. The attached Order TG-03-2009 gives effect to this decision.

.../2

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

Yours truly,

A handwritten signature in black ink, appearing to read "Claudine Dutil-Berry". The signature is written in a cursive style with a large initial 'C' and a long, sweeping underline.

Claudine Dutil-Berry
Secretary of the Board

Attachment



ORDER TG-03-2009

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 31 March 2009 for approval of final tolls pursuant to Part IV of the Act, filed with the National Energy Board (the Board) under File OF-Tolls-Group1-M124-2009-01 01.

BEFORE the Board on 23 April 2009.

WHEREAS the Board on 1 December 2008 issued Order TGI-02-2008, which authorized M&NP to charge, on an interim basis, effective 1 January 2009, tolls for service, pending a final order of the Board concerning 2009 tolls;

AND WHEREAS M&NP, on 31 March 2009, applied to the Board for approval of a negotiated settlement relating to final tolls for the period 1 January 2009 to 31 December 2009 (2009 Toll Settlement) which had been approved by an unopposed resolution of the M&NP Tolls and Tariff Working Group (TTWG);

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 9 April 2009;

AND WHEREAS no comments opposing the 2009 Toll Settlement were received from any TTWG members and observers or any other interested parties;

AND WHEREAS the Board has considered M&NP's 2009 Toll Settlement and is satisfied that M&NP's tolls, calculated in accordance with the 2009 Toll Settlement, are just and reasonable.

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

1. M&NP shall charge tolls for the period 1 January 2009 to 31 December 2009 in accordance with the 2009 Toll Settlement;
2. Order TGI-02-2008, which authorized tolls that M&NP may charge on an interim basis effective 1 January 2009, is revoked;

.../2

3. M&NP is directed to adjust the approved 2009 toll to account for the difference between revenues collected under the interim toll and the approved 2009 toll such that the total revenues collected (excluding deferral adjustments) during the entire 2009 test year reflect total revenues that would have accrued had the approved 2009 toll been in effect for the entire year; and
4. Those provisions of M&NP's tolls and tariffs, or any portion thereof, that are contrary to any provision of the Act, or to any order of the Board including this Order, are hereby disallowed.

NATIONAL ENERGY BOARD

A handwritten signature in black ink, appearing to read "Claudine Dutil-Berry". The signature is written in a cursive style with a large initial 'C'.

Claudine Dutil-Berry
Secretary of the Board