

National Energy
Board



Office national
de l'énergie

LETTER DECISION

File OF-Fac-Gas-W102-2016-12 01
10 August 2017

Ms. Rashi Khullar Manku
Senior Regulatory Advisor
Enbridge Pipelines Inc.
10175 – 101 Street
Edmonton, AB T5J 0H3
Email rashi.khullarmanku@enbridge.com

Ms. Rachel Kolber
Senior Legal Counsel
Westcoast Energy Inc., doing
business as Spectra Energy Transmission
Suite 2600, 425 – 1st Street S.W.
Calgary, AB T2P 3L8
Email Rachel.kolber@enbridge.com

Dear Ms. Khullar Manku and Ms. Kolber:

**Public Hearing GH-001-2017
Westcoast Energy Inc., doing business as Spectra Energy Transmission (Westcoast)
Application for the Wyndwood Pipeline Expansion Project (Project)
Decision and Order with Reasons to Follow**

On 21 October 2016, Westcoast Energy Inc., doing business as Spectra Energy Transmission (Westcoast) applied to construct and operate the Project pursuant to section 58 of the *National Energy Board Act* (NEB Act). In its application, Westcoast also requested exemptions from paragraphs 30(1)(a) and (b) and section 31 of the NEB Act, and an exemption from the application of section 47 of the NEB Act for the pipeline tie-ins.

Westcoast also requested an Order pursuant to Part IV of the NEB Act affirming that the cost of the Project will be included in the Transmission North (T-North) (Zone 3) cost of service and tolled on a rolled-in basis.

In a letter dated 15 December 2016, the Board confirmed that the application was complete and set the time limit for the Board to issue an Order or dismiss the application (15 months). On 2 February 2017, the Board issued Hearing Order GH-001-2017 setting the application for a hearing with written and oral components. Fourteen intervenors¹ and one commenter participated

.../2

¹ Ms. Thea Fager withdrew as an Intervenor on 17 March 2017.

in the hearing. After the conclusion of the oral portion of the hearing, but before the present decision was given, one Member became incapacitated. Pursuant to paragraph 16(2)(b) of the NEB Act, the remaining Members give this decision, which is unanimous, as if the incapacitated Member were present in the decision.

The Board has considered Westcoast's application and submissions as well as the evidence and submissions made by all participants on the record in the GH-001-2017 proceeding. Having considered and weighed all of the evidence before it, the Board has decided that the Project, as proposed by Westcoast is in the public interest. The Board has decided to release its Decision with reasons to follow, as it is the Board's view that there is a benefit to the hearing participants, the natural gas market and the public by doing so in this case. The Board's views and conclusions on individual matters which fall within the scope of the Project will be provided in the Board's written Reasons for Decision, which will be released on or before 28 September 2017.

The Board issues Order XG-W102-014-2017 (Order), and associated conditions pursuant to section 58 of the *National Energy Board Act* (NEB Act), the effect of which is to approve the Project. The Board exempts Westcoast from the requirements of paragraph 30(1)(a) and section 31 of the NEB Act in respect of the applied-for facilities, and, exempts Westcoast from paragraph 30(1)(b) and section 47 of the NEB Act in respect of the pipeline tie-ins, subject to the conditions contained in the attached Order.

The Board reminds Westcoast that it must apply to the Board for leave to open all other Project facilities, pursuant to section 47 of the NEB Act, prior to those facilities being placed in operation.

Rather than issuing an Order pursuant to Part IV of the NEB Act, the Board affirms Westcoast's request that the cost of the Project be included in the T-North (Zone 3) cost of service and tolled on a rolled-in basis.

On 26 May 2017, the Board made its draft potential conditions for the Project available for comment by Parties to the hearing (Westcoast and Intervenors). The Board considered all comments it received from Parties before finalizing and setting out the terms and conditions it imposes on Westcoast for the Project.

The Board notes that Westcoast made numerous commitments relating to Project matters in its application or in its related submissions during the proceeding. Adherence to and reporting on these commitments is set out in Conditions 2 and 3 of Order.

The Board has included 32 conditions in Order XG-W102-014-2017 that it has issued to Westcoast in respect of the Project. A copy of Order XG-W102-014-2017 and its Schedule A, which together outline the specifics of the Project as approved, are attached. The Board has updated or modified the Conditions from those released on 26 May 2017, and the reasons for the changes will be included in its Reasons for Decision.

The Board recognizes that hearings often raise matters that affect people, the environment, commercial interests and municipal and other government authorities. The Board acknowledges and expresses its appreciation for the quality of submissions that were made by the Parties. The Board considered all statements and submissions that were made by the Parties.

The Board directs Westcoast to serve a copy of this letter, the attached orders and Schedule A on all interested parties.

The foregoing constitutes the Board's Decision in respect of the Project heard by the Board in the GH-01-2017 proceeding.

A handwritten signature in black ink, appearing to read 'M. Lytle', with a large, stylized flourish at the end.

M. Lytle
Member

A handwritten signature in black ink, appearing to read 'J. Gauthier', with a long horizontal line extending to the right.

J. Gauthier
Member

Attachment