

Environment Aboriginal Energy Law

Energy East Pipeline Project Moves Closer to National Energy Board Hearing

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TransCanada/Energy East's Application to develop an oil pipeline to run from Alberta and Saskatchewan refineries to Eastern Canada moved steps closer to a National Energy board (NEB) hearing last week. The NEB has announced key deadlines for individuals, groups, municipalities, First Nations or Métis groups wishing to participate in the hearing. Potential participants may apply to be Intervenors, to file letters of comment, or participate in any further categories determined by the NEB. Potential participants must submit an Application to Participate before noon MST on **March 3, 2015**.

The Application forms will be made available for a 30-day window between February 3 and March 3, 2015. The Application for an Intervenor must show (1) how the proposed Intervenor would be directly affected by the pipeline; and/or (2) that it brings relevant information or expertise that would be helpful to the NEB in its deliberations of the 16 issues the NEB has identified for consideration during the hearing. Only those accepted as Intervenors in the hearing will be eligible for Participant Funding.

Participant Funding

There are two phases of Participant Funding for the Energy East Project:

- 1 The first phase provides funding for Intervenors to use for activities leading up to the submission of evidence. Applications for the first phase of funding are due by **February 23, 2015.**
- 2 The second phase provides funding for Intervenors to test evidence, to prepare and submit final argument and to prepare for and attend any portion of the oral component to the hearing. Applications for the second phase of funding are due by **July 27, 2015**.

NEB Decision

The NEB will make its decision about the first phase funding before the end of **April 2015**, and issue a Hearing Order. It is anticipated that the hearing could commence in **Fall 2015**. Late applications will not be accepted. Legislation provides a strict timeline for the completion of the process which can only be delayed if the NEB decides to request more information from TransCanada/Energy East.

Please contact <u>Julie Abouchar</u> for more information about the Energy East National Energy Board process.

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