

National Energy
Board



Office national
de l'énergie

File OF-Fac-Gas-T211-2015-05-01
15 April 2016

To: All Participants to Hearing Order GH-001-2016

Hearing Order GH-001-2016
TransCanada PipeLines Limited (TransCanada)
Application for the Vaughan Mainline Expansion Project (Project)
Procedural Update No. 2

On 10 February 2016, the National Energy Board (Board) issued Hearing Order GH-001-2016, setting out the procedures that will be followed for the assessment of the Project. The Hearing Order indicated that a Community Meeting with Participants (TransCanada, Intervenor and Commenters) would occur in April 2016, and that the Board may hold a Technical Conference with Intervenor and TransCanada. In the Amended Schedule of Events, issued 18 March 2016, the Community Meeting was scheduled for the week of 25 April 2016.

Community Meeting

The Community Meeting will be held on **Wednesday, 27 April 2016** and consists of afternoon (2:00 pm to 5:00 pm) and evening (7:00 pm to 9:00 pm) sessions. Questions and answers about the Community Meeting are found in Appendix 1.

The Board has determined that a Technical Conference at this time would not assist it in assessing the benefits and burdens associated with the Application. The Board may decide to hold a Technical Conference at a later date.

The Board directs all Intervenor and Commenters who wish to be assured the opportunity to speak at the Community Meeting to complete Appendix 2 and file it with the Board no later than **noon, Calgary time, Friday 22 April 2016**. It is important to indicate whether you would like to speak in the afternoon (2:00 pm to 5:00 pm) session or the evening (7:00 pm to 9:00 pm) session. Intervenor and Commenters who attend either session and have not completed Appendix 2 may be allowed to speak should time permit. If your preferred time to speak is not available, the Board will contact you directly to make arrangements. If you are not contacted by the Board, you can plan to speak at your preferred time.

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Canada

Telephone/Téléphone : 403-292-4800
Facsimile/Télocopieur : 403-292-5503
<http://www.neb-one.gc.ca>
Telephone/Téléphone : 1-800-899-1265
Facsimile/Télocopieur : 1-877-288-8803

If you have any questions on this Procedural Update, please contact the Board's Process Advisor Monica Rodriguez-Galvez at 1-800-899-1265 or VME.ProcessHelp@neb-one.gc.ca.

Yours truly,

Original signed by L. George for

Sheri Young
Secretary of the Board

Attachments

Appendix 1 Community Meeting General Questions

A. What is a Community Meeting?

A Community Meeting is a public meeting where all Participants (Commenters, Intervenors and the Applicant) have an opportunity to present an oral statement expressing their views on the Project directly to the Board.

B. Who can attend and who can present?

Anyone can attend the Community Meeting. Commenters, Intervenors and the Applicant are invited, but not required, to speak at the Community Meeting. Only Participants who have completed Appendix 2 will be assured an opportunity to speak. Intervenors and Commenters who have not completed Appendix 2 may be allowed to speak if time permits.

While Participants are not limited to numbers or types of representatives, space is limited at the conference facility. The Board requests that Participants limit themselves to 4 representatives each. Your group will have the same amount of time regardless of how many representatives you have. See part I.

C. When and where is it, how will it proceed, and what if I'm late?

The Community Meeting will be held during two sessions:

Afternoon: **Wednesday, 27 April, 2:00-5:00 pm**

Evening: **Wednesday, 27 April, 7:00-9:00 pm**

The location is:

Element Vaughan Southwest (by Westin)

6170 Highway 7

Vaughan, Ontario

Board staff will be available to answer any process questions at the location **one hour** before the start of each session.

At the start of each session, the Board will make opening remarks, followed by a short presentation by TransCanada. The Board will then call upon those registered to speak at each session in the order in which they appear on the List of Intervenors, followed by the List of Commenters (issued 18 March 2016 [A75987](#)). The Board will make closing remarks. You do not have to attend both sessions or stay for the whole session. If you are not present when your name is called, the Board may accommodate you at another point in the session, if time permits.

If necessary, both the afternoon session and the evening session may be extended by a short amount of time to accommodate everyone who would like to speak.

D. Can one participate remotely?

Yes. There are two ways for parties to participate:

- (1) in person, by attending the conference; or
- (2) remotely, via telephone.

Audio will be provided via the teleconference. Participants may contact Danielle Comte, Regulatory Officer, Danielle.comte@neb-one.gc.ca who will provide details on how to call in.

E. Is a Participant's response to the Board's request of 18 March 2016 sufficient to indicate whether the Participant intends to participate in the Community Meeting?

The Board appreciates the responses received to its letter of 18 March 2016. This has helped the Board plan for the oral portions of the hearing.

The Board requires interested Commenters and Intervenors to complete Appendix 2 to ensure an efficient Community Meeting and that everyone who wishes to speak will be able to do so.

F. Who will run the Community Meeting?

The three members of the National Energy Board hearing this Application will run the meeting and will be accompanied by Board staff. The meeting will be chaired by one of the Board members.

G. What type of information should be provided?

Information should be relevant to the matters the Board will be considering, as stated in the Hearing Order. Written evidence should not be repeated unless it is necessary to understand an oral submission.

In preparing what to say at the Community Meeting, Participants may wish to consider what information is best suited to be presented orally and what would be most helpful to the Panel as written evidence. For example, technical material may be better explained and understood in written evidence, whereas an explanation of land usage or a discussion of whether the Project is in the public interest may be better suited to oral evidence. The Board considers oral and written evidence equally.

Intervenors should wait until the final argument portion of the hearing in June 2016 to make their case that the evidence supports their position on the decisions the Board should make on the Application.

H. Can I still present documents in writing to the Board if I participate in the Community Meeting?

Yes. Your participation in the Community Meeting does not impact your ability to submit written documents to the Board. Intervenors can present written evidence and participate in oral cross examination even if they make an oral statement at the Community Meeting.

Similarly, a Commenter can still write a letter of comment even if they make an oral statement at the Community Meeting.

I. What is the time limit?

Intervenors and Commenters are asked to limit their presentation to no more than 30 minutes.

TransCanada will be provided an opportunity to present at both the afternoon and evening sessions for no more than 15 minutes at each session (for a total of 30 minutes).

J. If I have an authorized representative or I am a group, do I have more time?

No. The time limit is for the party as a whole. In addition, the Board will find it most helpful if there is one spokesperson for each party and that spokesperson is someone who is familiar with the evidence on the record, and be able to speak for the party which they are representing.

K. Who can ask questions?

After your statement, the Board Members may ask questions of clarification of you and of TransCanada. TransCanada will not directly ask you questions. Furthermore, you cannot ask questions of TransCanada or other Intervenors or Commenters or the Board.

However, if you are an Intervenor, the Board, TransCanada and other Intervenors may ask Information Request in writing about your statement at a later date. You can also be cross-examined on your statement.

L. Electronic Exhibits

The Board is able to project evidence and other documents on the registry on a screen in the Community Meeting room. Therefore, in order to ensure an efficient process, the Board requests that those who wish to refer to evidence already filed on the record identify and submit this information to the Board ahead of the Community Meeting. You may refer to any filed evidence, regardless of the participant that filed it. You are not limited to referring only to evidence that you or your group has filed.

Parties referring to any electronic exhibits are requested to provide the information found in Appendix 3 to Danielle Comte, Regulatory Officer, Danielle.comte@neb-one.gc.ca by **5:00 pm, Eastern Time, 26 April, 2016**. **You can provide Ms. Comte with an electronic copy of the table or the information contained in the table in the body of the email.**

Please note that you do not have to accompany your oral statement with visual material and that the Board will be familiar with any written evidence filed on the public repository.

M. Can additional visual material be provided?

Yes, but to ensure transparency and fairness, any visual aids used at the Community Meeting must be filed on the public registry for all to see and consider. You must do this by **20 April 2016**.

N. Will I be ‘sworn in’ prior to my presentation at the Community Meeting?

Yes. Before you give your oral evidence or make your oral statement you will be asked to swear or affirm that the information you are presenting is accurate and truthful. If you prefer to be sworn in, you will be asked to place your hand on a Bible or another sacred item and swear to tell the truth. If you want to swear on a sacred item other than a Bible, you will need to bring that item with you. If you prefer to be affirmed, you will be asked to make a statement that the information you are presenting is accurate to the best of your knowledge and belief.

O. How will I know what is being said at the Community Meeting?

The Community Meeting is open for anyone to attend in person. A live audio broadcast in English and French of the Community Meeting will also be available through the Board’s website at www.neb-one.gc.ca/VME. A transcript record of what is said will be prepared and available via the electronic repository the day after the Community Meeting.

P. Interpreters

Those providing an oral statement in a language other than French or English must provide their own interpreter and are responsible for those costs (or use participant funding approved for that purpose). Only the English translation will be included in the hearing transcript. It is up to parties to confirm the accuracy of any translations they have ordered.

Interpretation will be provided from French to English and English to French.

Appendix 2**Notice of Intent to present at the Community Meeting****Instructions:**

Step 1: Complete the attached form and save it as a PDF.

Step 2: Login to your NEB Account at [this link](#) using the same user ID and password you used to submit your Application to Participate form.

Step 3: Click on “Submit Documents Electronically” and fill in the information required in the eight (8) listed steps.

Step 4: Print the receipt, sign it and fax or mail it to the Board at the following address:

National Energy Board
517 Tenth Avenue SW
Calgary, AB T2R 0A8
Facsimile 403-292-5503
Toll-free facsimile: 1-877-288-8803

If you have questions or require assistance in filing your Notice of Intent, please contact the Process Advisor for this Project, Monica Rodriguez-Galvez, at 1-800-899-1265 (toll-free) or by email at VME.ProcessHelp@neb-one.gc.ca.

Date:	
Name of Group or Individual as it appears on the List of Parties	
Names of those Individuals who will be presenting at the Community Meeting	
Preference:	
_____ Afternoon: Wednesday, 27 April 2016, 2:00-5:00 pm	
_____ Evening: Wednesday, 27 April 2016, 7:00-9:00 pm	
Participation:	
_____ in person, by attending the conference;	
_____ remotely, via telephone.	

Appendix 3

**Exhibits to be Referred to at the Community Meeting
Hearing Order GH-001-2016**

Party Name: _____

Exhibit Number	Brief Description	Adobe Page Number	Paper Page Number	Line or paragraph reference