



Canada Energy Régie de l'énergie  
Regulator du Canada

Suite 210 517, Dixième Avenue S.-O.  
517 Tenth Avenue SW bureau 210  
Calgary, Alberta Calgary (Alberta)  
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Ms. Nicole Prince  
Regulatory Project Manager  
NOVA Gas Transmission Ltd.  
450 – 1 Street SW  
Calgary, AB T2P 5H1  
Email [nicole\\_prince@tcenergy.com](mailto:nicole_prince@tcenergy.com)

Mr. Naveed Hayder  
Project Manager  
Many Islands Pipe Lines (Canada) Limited  
6000 – 1777 Victoria Avenue  
Regina, SK S4P 4K5  
Email [nhayder@saskenergy.com](mailto:nhayder@saskenergy.com)

Mr. Darren Janke  
Director, Emergency Management &  
Regulatory Affairs  
Many Islands Pipe Lines (Canada) Limited  
600 – 1777 Victoria Avenue  
Regina, SK S4P 4K5  
Email [djanke@saskenergy.com](mailto:djanke@saskenergy.com)

Mr. Terry Jordan  
Sr. Legal Counsel  
Many Islands Pipe Lines (Canada) Limited  
1000 – 1777 Victoria Avenue  
Regina, SK S4P 4K5  
Email [tjordan@saskenergy.com](mailto:tjordan@saskenergy.com)

Dear Ms. Prince, Mr. Hayder, Mr. Janke and Mr. Jordan:

**Many Islands Pipe Lines (Canada) Limited (MIPL(C)L)  
Application for the Pierceland Supply Project (Pierceland Project) and  
NOVA Gas Transmission Ltd. (NGTL)  
Application for the Saddle Lake Lateral Loop (Cold Lake Section) (Saddle  
Lake Project) under section 58 of the *National Energy Board Act* (NEB Act)**

On 12 June 2019, the National Energy Board<sup>1</sup> received an application from MIPL(C)L for the Pierceland Project, which includes a new MIPL(C)L compressor station and the construction of approximately 30.9 km of NPS 20 (508.0 mm) outside diameter (OD) pipe, extending from a riser adjacent to a new NGTL meter station in Alberta (SW 12-62-01 W4M) to a tie-in point adjacent to an existing TransGas Limited compressor station in Saskatchewan located at NE 07-62-24 W3M ([A99944](#)).

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<sup>1</sup> On 28 August 2019 the *Canadian Energy Regulator Act* (CER Act) came into force. Section 36 of the transitional provisions associated with the CER Act states that applications pending before the NEB would be taken up before the Commission of the Canada Energy Regulator (the Commission) and would continue in accordance with the *National Energy Board Act*.

On 23 August 2019, the National Energy Board received an application from NGTL for the Saddle Lake Project, which includes the installation of approximately 20 km of NPS 20 (508.0 mm) OD pipe extending from a tie-in valve near the existing Kent Sales Meter Station, located at NE 13-062-03 W4M, to the replacement CLB Sales Meter Station, located at SW 12-062-01 W4M ([C01157](#)).

On 30 August 2019, Cold Lake First Nation (CLFN) filed a letter with the Canada Energy Regulator (CER) ([C01395](#)). In its letter, CLFN states that the Pierceland Project and Saddle Lake Project are contiguous, and together they represent 50.9 km of new pipeline that cross the Alberta/ Saskatchewan border. CLFN submits that it is inappropriate for these projects to be considered as unique under section 58 of the NEB Act and that these projects, although proposed by different proponents, are essentially one project. CLFN further states that based on the descriptions filed for both projects, that the Pierceland Project and the Saddle Lake Project use the same type of pipe, are tied into the same pipeline network and are intended to deliver the same supply of natural gas to downstream customers. CLFN submits that NGTL and MIPL(C)L are strategically splitting integrated resource development activities into smaller regulatory applications in an effort to speed up the approval process with the NEB and understate potential impacts resulting from cumulative resource development work. In addition to concerns regarding project splitting, CLFN notes that there are challenges limiting consultation and engagement on both projects and the Nation's ability to fully determine impacts to its rights.

On 20 September 2019, NGTL filed a response to the CLFN letter ([C01738](#)). In its response, NGTL maintains that the Saddle Lake Project application and Environmental and Socio-Economic Assessment (ESA) have been developed independently and filed appropriately in response to an NGTL customer's request for service. NGTL submits the Commission of the Canada Energy Regulator (the Commission) has sufficient information at this time to continue with its assessment of NGTL's Saddle Lake Project application and ESA for their completeness independently from the Pierceland Project, and believes it is in the public interest for the Commission to do so without any further process on this issue.

On 20 September 2019, MIPL(C)L filed a letter with the CER ([C01743](#)) requesting that the CER dismiss CLFN's request and allow the Pierceland Project to proceed as applied for, separately from the Saddle Lake Project. With respect to consultation and cumulative impact assessments, MIPL(C)L states that any concerns CLFN or other interested parties may have about the Pierceland Project or the Saddle Lake Project would not be rectified by combining the applications for determination under section 52.

The Commission has determined that additional information is required before determining the appropriate application assessment process for each project. Interested persons who have comments about the proposed projects as those projects pertain to the comments filed by the CLFN are invited to file a written letter of comment with the CER. The deadline for filing letters of comment is **noon (Mountain Time), 4 October 2019**. If NGTL and/or MIPL(C)L choose to reply to interested persons who file comments, they must file their comments with the CER by **noon (Mountain Time), 9 October 2019**, and must serve their reply on all interested persons, including CLFN.

Filings should be e-filed through the CER's Regulatory Documents link on the CER website ([www.cer-rec.gc.ca](http://www.cer-rec.gc.ca)) under File OF-Fac-Gas-N081-2019-11 01. For any documents that cannot be e-filed, please fax them to the main CER fax number at 403-292-5503 or toll free at 1-877-288-8803.

If you have any questions about this letter, please contact Christy Wickenheiser, Acting Director, at 403-809-9352, or through the CER's toll-free number at 1-800-899-1265.

The Commission directs NGTL and MIPL(C)L to serve a copy of this letter on all interested parties.

Yours sincerely,

*Original signed by S. Wong for*

L. George  
Secretary of the Commission

c.c. Ms. Nicole Nicholls, Cold Lake First Nations  
Email [Nicole.Nicholls@clfns.com](mailto:Nicole.Nicholls@clfns.com) and [consultation@clfns.com](mailto:consultation@clfns.com)