



File OF-Fac-Oil-E102-2017-01 01
26 July 2017

To: All Parties to MH-001-2017

Enbridge Pipelines (NW) Inc. (Enbridge)
Application for the Line 21 Segment Replacement Project (Project)
Pursuant to section 58 of the *National Energy Board Act* (NEB Act) and section 45.1
of the *National Energy Board Onshore Pipeline Regulations* (Application)
Hearing Order MH-001-2017
Procedural Matters – Postponement of Oral Evidence, Cross-Examination and
Argument

On 18 May 2017, in conjunction with the issuance of Hearing Order MH-001-2017 ([A83697](#)), the National Energy Board (NEB) issued a letter to the Mackenzie Valley Land and Water Board (MVLWB) ([A83703](#)), recognizing the desire to coordinate the review processes and noting that, in consideration of section 124(4) of the *Mackenzie Valley Resource Management Act* (MVRMA), the requirements of Preliminary Screening would be met through the MVLWB process.

On 20 July 2017, as a member of the MVLWB distribution list, the NEB was notified that “it is expected that the [MVLWB] will meet in August to consider the applicability of s.157.1 to the proposed Line 21 Segment Replacement Project.” As the NEB is a Designated Regulatory Agency, according to section 118 of the MVRMA, the NEB cannot make its regulatory decision under the NEB Act before the MVRMA process is complete, which cannot occur prior to a decision on the applicability of s.157.1.

Since issuing MH-001-2017, the NEB has received submissions from several Parties expressing support and encouragement for coordinating the NEB and MVLWB processes. The NEB understands the burden that parallel regulatory processes can put on communities and remains committed to fairness and efficiency in its process for all Parties involved.

Given that the MVLWB process remains underway, and taking into consideration the input received from parties encouraging coordination of the NEB and MVLWB processes, the NEB has decided to postpone the oral portion of GH-001-2017 until the MVLWB issues a decision on the applicability of s. 157.1.

To date, the NEB has received both the written evidence from the Intervenors and the reply evidence of Enbridge and is of the view that it would not be efficient to continue further since the record cannot be completed prior to the MVLWB decision. A new schedule for Parties to provide oral traditional evidence, cross-examination and argument will be established once the relevant MVLWB decisions regarding MVRMA can be placed on the NEB record.

If you have any questions about this letter, please contact Brian Chambers, Professional Leader – Northern Engagement at 867-766-8408, or brian.chambers@neb-one.gc.ca.

Yours truly,

Original signed by

Sheri Young
Secretary of the Board

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