



Regulatory Agenda

The period covered in this Regulatory Agenda is the month of May 2005

Outlook for Electricity Markets 2005-2006

The Board issued an Energy Market Assessment (EMA) entitled *Outlook for Electricity Markets 2005-2006*. The EMA provides an analysis and discussion of Canadian electricity markets emphasizing the main drivers influencing near-term trend in generation, demand, infrastructure additions, inter-regional and

international trade and pricing. The report also includes an update of the industry restructuring activities in Canada, focusing on the short-term, and identifies and discusses current issues that may have longer term effects.

Public Hearing Applications

Decisions Pending

1. **Canadian Association of Petroleum Producers (CAPP) – Review of RH-2-2004 Phase I Reasons for Decision – TransCanada PipeLines Limited's (TCPL) 2004 Tolls – RH-R-1-2005 (File 4200-T001-19-R)**

The Board heard oral arguments on 26 April 2005 in Calgary on an application from CAPP for a review of the Board's RH-2-2004 Phase I Reasons for Decision with respect to TCPL's 2004 Mainline Tolls. The Board heard arguments on the following:

- i) whether the Board's decision regarding the tolling of Non-Renewable Firm Transportation Service (FT-NR) should be confirmed, amended or overturned; and
- ii) if the decision should be amended or overturned, how FT-NR should be tolled.

On 18 February 2005, the Board informed parties that it was of the view that CAPP had raised a doubt as to the correctness of the decision on the basis that the Board may have erred in approving a different toll for FT-NR than the cost-based toll charged for Firm Transportation with a step-down. Therefore, the Board decided on 18 March 2005 to hear oral arguments as the second step of the review process on the FT-NR question.

2. **New Brunswick Power Transmission Corporation (NB Power) – International Power Line (IPL) – Detailed Route Hearing – MH-1-2005 (File 2200-N102-1-2)**

The Board held a public hearing on 9 May 2005 in St. Stephen, New Brunswick in response to oppositions concerning portions of the proposed detailed route of the NB Power IPL. The objections were filed by landowners on the power line route from Lepreau to St. Stephen.

In This Issue

Preface

The purpose of this agenda is to provide information on the Board's activities. Except where otherwise noted, jurisdiction over the items listed in the agenda is exercised pursuant to the *National Energy Board Act*, R.S.C. 1985, c. N-7, as amended.

“We promote Safety, Security, Environmental Protection and Economic Efficiency”

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The Board issued a certificate to NB Power in the fall of 2003 approving the construction and operation of the 95.5 kilometre, 345 kilovolts IPL from the existing transmission terminal at the Point Lepreau Generating Station to a point on the Maine-New Brunswick border west of St. Stephen. A public hearing was held in Saint John in March 2003.

Hearings Scheduled

1. *Chevron Canada Limited (Chevron Canada) and Chevron Standard Limited, Neste Canada Inc. and Chevron Canada Limited (Chevron/Neste) – Priority Destination – MH-2-2005 (Files 4755-T099-3 and 4755-T099-4)*

The Board will hold a public hearing commencing on 12 September 2005 in Calgary on two applications for orders designating Chevron Canada's refinery at Burnaby, British Columbia to be a priority destination for the unapportioned delivery of crude oil and isooctane on Terasen Pipelines (Trans Mountain) Inc.'s pipeline system. The first application is for delivery of crude oil by Chevron Canada, and the second application is for delivery of isooctane by Chevron/Neste.

Chevron Canada is requesting a priority designation for the unapportioned delivery from Edmonton to Burnaby of up to 5 500 cubic metres per day of crude oil during periods that nominations would otherwise be apportioned. Chevron/Neste are requesting priority designation of unapportioned delivery from Edmonton to Burnaby of up to 2 400 cubic metres per day of

isooctane during periods that nominations would otherwise be apportioned.

2. *Imperial Oil Resources Ventures Limited (Imperial), Mackenzie Valley Aboriginal Pipeline Limited Partnership, ConocoPhillips (North) Limited, Shell Canada Limited and ExxonMobil Canada Properties – Mackenzie Gas Project (Files 3200-J205-1, 2520-C-19-4, 2620-C-19-7, 2620-C-12-7 and 2620-C-20-7)*

On 24 November 2004, the Board scheduled for public hearing five applications from Imperial Oil Resources Ventures Limited and other applicants for the Mackenzie Gas Project in Northern Canada. The proponents of the Mackenzie Gas Project are Imperial Oil Resources Ventures Limited, Mackenzie Valley Aboriginal Pipeline Limited Partnership, Imperial Oil Resources Limited, ConocoPhillips Canada (North) Limited, ExxonMobil Canada Properties and Shell Canada Limited. The Board will announce at a later time the dates and locations of its public hearing.

The Mackenzie Gas Project includes a pipeline to transport natural gas to northern Alberta, a pipeline to transport natural gas liquids to Norman Wells, N.W.T., three onshore natural gas fields, a gathering system to transport production from the three fields, and a processing facility in the Inuvik, N.W.T. area where natural gas liquids would be separated from the natural gas for shipping. Other related facilities include compressor stations and a heater station.

Non-Public Hearing Applications

Electricity matters

Matter Completed

1. *Calpine Energy Services Canada Ltd. (Calpine) – Electricity Export (File 6200-C191-1)*

On 20 May 2005, the Board approved an application dated 5 April 2005 from Calpine for permits to export up to 250 megawatts and up to 2160 gigawatt hours of combined firm and interruptible power and energy, respectively, per year for a period of 10 years.

Matters under Consideration

2. *Lighthouse Energy Trading Co., Inc. (Lighthouse) – Electricity Export (File 6200-L032-2)*

On 5 April 2005, Lighthouse applied for permits to export, per year for a period of 10 years, up to: 300 megawatts of firm power; 500 megawatts of combined firm and interruptible power; 2 628 000 megawatt hours of firm energy, and; 1 752 000 megawatt hours of interruptible energy.

**3. Manitoba Hydro – Electricity Export
(File 6200-M020-16)**

On 1 April 2005, Manitoba Hydro applied for a permit to export up to 20 kilowatts of firm power and 60 000 kilowatt hours of firm energy per year for a period five years as a border accommodation transfer to Roseau Electric Cooperative in Minnesota.

**4. Manitoba Hydro – Electricity Export
(File 6200-M020-17)**

On 7 April 2005, Manitoba Hydro applied for permits to export up to 3250 megawatts of firm and/or interruptible power and up to 25 434 gigawatt hours of firm and/or interruptible energy per year for a period of five years. The application, in part, represents a renewal of existing export permits EPE-45 and EPE-46 which expire on 31 October 2005.

**5. Saracen Merchant Energy LP (Saracen) –
Electricity Export (File 6200-S182-1)**

On 10 May 2005, Saracen applied for permits to export up to 600 megawatts and 2 700 000 megawatt hours of combined firm and interruptible power and energy, respectively, per year for a period of 10 years.

**6. TransCanada Energy Ltd. (TransCanada) –
Electricity Export (File 6200-T094-1)**

On 14 April 2005, TransCanada applied for permits to export up to 350 megawatts of short term firm power and 3000 gigawatt hours of interruptible energy per year for a period of 10 years. The application represents a renewal of existing export permits EPE-78 and EPE-79 which expire on 15 November 2005.

Frontier Matters

Matters Completed

**1. Anadarko Canada Energy Co. (Anadarko) –
Application dated 9 April 2003 for a
Significant Discovery Declaration in the
Arrowhead Area, Slave Point.**

In April 2005, the Board issued two declarations of “Significant Discovery” to Anadarko pursuant to Part II.1, subsection 28.2(4) of the *National Energy Board Act* and to Part III, subsection 28(1) of the *Canada Petroleum Resources Act* with respect to those frontier lands in the Arrowhead area of the N.W.T. comprising grid areas:

Latitude	Longitude	Sections
60° 40' N	122° 45' W	27, 28, 37, 38, 39, 48, 49, 54, 55, 64, 65, 66, 75, 76

**2. Anadarko Canada Energy Co. (Anadarko) –
Application dated 9 April 2003 for a
Significant Discovery Declaration in the
Arrowhead Area, Landry.**

In April 2005, the Board issued three declarations of “Significant Discovery” to Anadarko pursuant to Part II.1, subsection 28.2(4) of the *National Energy Board Act* and to Part III, subsection 28(1) of the *Canada Petroleum Resources Act* with respect to those frontier lands in the Arrowhead area of the N.W.T. comprising grid areas:

Latitude	Longitude	Sections
60° 40' N	122° 45' W	45, 46, 55, 56, 57, 64, 65, 66, 67, 73, 75, 76
60° 40' N	123° 00' W	1, 2, 3, 12, 13

**3. Chevron Canada Resources – Well Termination
Record**

On 31 May 2005, Chevron received approval, pursuant to the *Canada Oil and Gas Drilling Regulations*, of the *Well Termination Records* for the wells Olivier H-01, 2H-01 and 3H-01.

Gas Matters

Matters Approved

**1. ProGas Limited (ProGas) – Gas Sales Contracts
Amendments (Files 7200-P038-3-1 and
7200-P038-4-1)**

On 6 May 2005, the Board approved an application from ProGas for approval of amendments to the gas sales contracts with Ocean State Power I and Ocean State Power II underpinning natural gas exports under Licences GL-101 and GL-109. Ocean State Power I and II are combined cycle electric generating facilities located in Burrillville, Rhode Island. Under the Licences, ProGas is authorized to export up to 1.4 million cubic metres of natural gas per day to Ocean State Power I and up to 708 000 cubic metres of natural gas per day to Ocean State Power II.

2. Imperial Oil Resources Limited (Imperial) and Selkirk Cogen Partners, L.P. (Selkirk) – Contract Amendments (File 7200-S157-2-2a)

On 26 May 2005, the Board approved a joint application dated 27 April 2005 from Imperial and Selkirk to amend a Gas Sales Contract underpinning natural gas exports under Licence GL-193. Under Licence GL-93, Imperial is authorized to export to Selkirk approximately 538 200 cubic metres of natural gas per day at Iroquois, Ontario. Selkirk owns a cogeneration facility in Selkirk, New York.

Matter Pending

3. EnCana Corporation (EnCana) – Replacement of a Gas Sale Agreement – Licences GL-284 and GL-285 (Files 7200-E112-1-1 and 7200-E112-1-2)

On 23 December 2004, EnCana applied for approval of a gas sale agreement entitled the *Cross-Border Commodity Purchase & Sale Agreement* that would replace the original gas sale agreement dated 1 January 1994 underpinning natural gas export Licences GL-284 and GL-285. Under Licences GL-284 and GL-285, EnCana is authorized to export approximately 1.6 billion cubic metres of natural gas and 1.0 billion cubic metres of natural gas, respectively, in any consecutive 12-month period ending 31 October. On 3 February 2005, the Board sent a letter to EnCana requesting additional information.

Pipeline Matters

Matters Completed

1. EnCana Cypress Pipeline Ltd. (Encana) and Prairie Schooner Limited Partnership (Prairie) – Application for the Sale and Purchase of the Cypress Pipeline (Files 3400-E137-1 and 3400-P181-1)

On 24 May 2005, the Board approved a joint application dated 21 April 2005 from EnCana and Prairie for leave for EnCana to sell and Prairie to purchase the Cypress Pipeline. The Cypress Pipeline is a 6.2 kilometre pipeline that runs from Alberta to Saskatchewan. The pipeline was originally constructed by AEC Suffield Gas Pipeline Inc. in 1999.

2. Section 58 Applications

The Board has approved applications under Section 58 of the *National Energy Board Act* involving routine pipeline facilities or the construction of pipelines not exceeding 40 kilometres in length. See Appendix I.

Matters Pending

3. ConocoPhillips Canada Limited (ConocoPhillips) and Duke Energy Empress Management Inc., as General Partner and agent of Duke Energy Empress L.P. (Duke) – (Files 3200-C216-1 and 3200-D073-1)

On 22 April 2005, Conoco Phillips and Duke, in a joint application, applied for leave for ConocoPhillips to sell and Duke to purchase certain pipeline facilities. The pipeline is approximately 930 kilometres and runs from near Empress, Alberta to near Winnipeg, Manitoba. The pipeline facilities were constructed in 1963.

4. TransCanada PipeLines Limited (TCPL) – Les Cèdres Loop (File 3400-T001-238)

On 28 February 2005, TCPL applied for approval to construct 21.3 kilometres of pipeline loop from mainline valve 147A in the Municipality of Saint-Télesphore, Quebec to mainline valve 148 in the Municipality of Les Cèdres, Quebec (Les Cèdres Loop). The proposed Les Cèdres Loop, together with the capacity provided by the existing mainline facilities, will be needed to enable TCPL to transport the natural gas required for a new gas-fired cogeneration plant being constructed at Bécancour, Quebec. The estimated cost of the project is \$44.1 million and the proposed in service date is 1 November 2006.

Traffic, Tolls and Tariffs Matters

Matters Completed

1. TransCanada PipeLines Limited (TCPL) – Resolutions of the 2005 Toll Task Force (File 4775-T001-1-13a)

On 27, 30 and 31 May 2005, the Board approved the resolutions described below.

Resolution No.	Subject
09.2005	Procedure for Adding new Receipt and Delivery Points – Tariff Additions. Purpose – to describe: (a) the information TransCanada requires; (b) the considerations for adding a Receipt and/or Delivery Point; and (c) the expected timeframe required to evaluate and respond to a request for a Receipt and/or Delivery Point.
10.2005	Elimination of Foreign Exchange Exposure on U.S. Senior Debt. Purpose – desire to reduce the Mainline's exposure to foreign exchange risk and to do so with little or no impact to tolls.
11.2005	Amendments to the Transportation Access Procedures of the Mainline Tariff. Purpose – to implement minor corrections or changes and to amend other more substantive items and include new provisions.

Matters Pending

2. *TransCanada Pipelines Limited, BC System (TCPL) – Final Tolls for 2004 (File 3400-T054-2004-1)*

On 27 October 2004, TCPL requested that the Board order that the 2004 interim rates authorized by Order TGI-10-2003 for the BC System are final tolls.

On 22 November 2004, the Board informed TCPL that it had decided to postpone its decision on the application pending the disposition of the Canadian Association of Petroleum Producers' application for review of the Board's RH-2-2004

Phase I Decision (see item 1 under *Public Hearing Applications, Decisions Pending* above and item 2 under *Appeals and Review, Review Pending* below).

3. *Trans-Northern Pipelines Inc. (TNPL) – 2005 Tolls (File 4200-T002-12)*

On 1 March 2005, TNPI applied for approval of final tolls for 2005 effective 1 January 2005. TNPI stated that its transportation revenue requirement for 2005 will increase to approximately \$60.2 million as compared to the calculated transportation requirement of \$35.9 million in 2004. Average tolls for 2005 will decrease by 0.6 percent as compared to those approved for 2004.

On 9 March 2005, the Board approved an application dated 7 March 2005 to continue to charge the interim tolls which were approved by Order TOI-4-2005 until such time as final tolls for 2005 are approved.

On 17 March 2005, the Board sought comments of interested parties on the application. On 31 March 2005, Ultramar filed comments in which it indicated that the it remained of the view that the cost overrun associated with the capacity expansion and line reversal project (OH-1-2003 Reasons for Decision) is unacceptable and that a more detailed examination of TNPI's application is necessary. TNPI and Ultramar agreed to meet on this subject in late May.

Appeals and Reviews

Appeals Pending

1. *Sumas Energy 2, Inc. (SE2) – Application for Leave to Appeal a Board Decision*

SE2 applied to the Federal Court of Appeal for leave to appeal the Board's 4 March 2004 decision in which it denied an application from SE2 to construct the Canadian portion of an 8.5 kilometre international power line originating at the Canada/United States international boundary near Sumas, Washington and running to a BC Hydro substation in Abbotsford, British Columbia. On 16 July 2004, the Court granted SE2's application to appeal the Board's decision.

2. *Flint Hill Resources – Application for Leave to Appeal – RH-1-2005*

Flint Hill Resources applied to the Federal Court of Appeal for leave to appeal the Board's decision of 28 April 2005 in which it approved two applications

from Enbridge Pipelines Inc. to recover, in its Canadian pipeline tolls, US\$20 million per year for five years related to the extension of service on the Spearhead Pipeline which runs from Chicago, Illinois to Cushing, Oklahoma and an initiative by Mobil Pipe Line Company to reverse the flow of its pipeline which runs from Patoka, Illinois to Corsicana, Texas.

Flint Hill Resources also filed a Notice of Motion with the Court seeking an extension of time, until 30 days following the release of the Board's Reasons for Decision in RH-1-2005, to seek leave to appeal on any additional grounds. In April, the Board had decided to release the Decisions in advance of the Reasons for Decision in response to requests received from several parties during the public hearing held to consider the two applications. The Board expects to release the Reasons for Decision in early June 2005.

Review Completed

1. *Coral Energy Canada Inc. and Cogenerators Alliance (Applicants) – Review of RH-2-2004, Phase I Reasons for Decision – TransCanada PipeLines Limited's (TCPL) 2004 Tolls – RH-R-2-2005 (File 4200-T001-19-R)*

On 6 May 2005, the Board dismissed an application dated 11 January 2005 from the Applicants for review and variance of the Board's RH-2-2004, Phase I Reasons for Decision with respect to TCPL's 2004 Mainline Tolls. The Board found that no doubt as to the correctness of the Board's Decision in RH-2-2004, Phase I had been raised.

The Applicants had asked for a review and variance of the Decision on the following issues:

- (a) the arrangements entered into by TCPL pursuant to the Waste Heat Agreements and the Compressor Operating Agreement; and,
- (b) TCPL's applied-for Operation, Maintenance and Administration costs for the 2004 test year.

Review Pending

2. *Canadian Association of Petroleum Producers (CAPP) – Review of RH-2-2004 Phase I Reasons for Decision – TransCanada PipeLines Limited's (TCPL) 2004 Tolls (File 4200-T001-19-R)*

(Refer to item 1 under *Public Hearing Applications, Decisions Pending* above.)

On 12 November 2004, CAPP applied for a review of the Board's RH-2-2004 Phase I Reasons for Decision with respect to TCPL's 2004 Mainline Tolls. CAPP stated that the Board committed errors that

raise doubt as to the correctness of its decision. The errors relate to the determinations made by the Board concerning:

- (a) approving tolls for Non-Renewable Firm Transportation Service (FT-NR) to be determined on a biddable basis;
- (b) allowing TCPL to include all forecast long-term incentive compensation costs in its 2004 cost of service; and,
- (c) allowing TCPL to recover through tolls certain regulatory and legal costs relating to review and appeal proceedings.

On 11 February 2005, CAPP requested that the Board defer consideration of the ground for review relating to long-term incentive compensation, (b) above.

On 18 February 2005, the Board decided, with respect to allowing TCPL to recover through tolls certain regulatory and legal costs relating to review and appeal proceedings, that CAPP had not raised a doubt as to the correctness of the RH-4-2001 Decision with respect to regulatory costs. With respect to FT-NR, the Board was of the view that CAPP had raised a doubt as to the correctness of the decision on the basis that the Board may have erred in approving a different toll for FT-NR than the cost-based toll charged for Firm Transportation with a step-down. Therefore, the Board decided to proceed to the second step of review on this question.

After having consulted with interested parties on how to proceed with the second step of the review, the Board decided to hear oral arguments on the matter.

Amendments to Regulations

Regulatory Initiatives Pursuant to the National Energy Board Act

1. *Cost Recovery Regulations – Electricity – Review (File 175-A000-72-2)*

The Board has decided to undertake a review of the *National Energy Board Cost Recovery Regulations* as they relate to the allocation of costs within the electricity industry. This decision was made following a request from some of the stakeholders.

As part of the review, the Board held an all-day workshop on 9 December 2004 in Calgary. The Board will hold a second workshop on 2 June 2005 in Montréal.

2. *National Energy Board Damage Prevention Regulations*

On 7 February 2005, the Board informed interested parties that it has completed the initial development phase of the above-noted Regulations. The Regulations have been submitted to the Department of Justice for review and analysis prior to pre-publication in the *Canada Gazette*, Part 1. The Draft Regulations dated October 2004 are available on the Board's Web site under *Acts and Regulations*.

3. *Operations and Maintenance Activities on NEB-Regulated Facilities: Requirements and Guidance Notes*

On 11 April 2005, the Board released for public comment documents that detail proposed regulatory changes to clarify requirements for the operation and maintenance of NEB-regulated facilities.

The Board released a draft *Operations and Maintenance Requirements and Guidance Notes* as well as a new draft *Section 58 Streamlining Order*. Once in place, the regulatory changes will provide a clear and consistent approach to regulating operations and maintenance activities on NEB-regulated pipelines so that landowners, the public, regulated companies, and the Board would have a common understanding of how these activities would be regulated in the future and which projects would require an application under Section 58 of the *National Energy Board Act* or would fall under the *Section 58 Streamlining Order*.

4. *Information to be Furnished by Applicants to Import Liquefied Natural Gas (LNG)*

On 19 April 2005, the Board sought comments from all potential applicants to import LNG on a draft document to supplement the requirements of the Board's *Filing Manual* of April 2004 and the *National Energy Board Act Part VI (Oil and Gas) Regulations* concerning imports of LNG.

Regulatory Initiatives Pursuant to the Canada Oil and Gas Operations Act

5. *Goal-oriented Drilling and Production Regulations (D&PR)*

On 11 April 2005, the Board, on behalf of several other federal and provincial agencies, sought comments from interested parties on a draft of the D&PR.

The D&PR project is an initiative of the Board, Natural Resources Canada, the Province of Newfoundland and Labrador, the Province of Nova Scotia, the Canada-Newfoundland Offshore Petroleum Board, the Canada-Nova Scotia Offshore Petroleum Board, and the Department of Indian Affairs and Northern Development. These agencies all have some form of direct regulatory responsibility for companies involved in the drilling for, and production of, oil and gas in Canada's frontier areas (*i.e.* Northwest Territories, Nunavut and offshore), including those governed under the Offshore Accord Acts.

The intent of the current project is to have goal-oriented D&PR in force by approximately the end of 2006. The goal-oriented D&PR project will build on draft D&PR that were developed as part of a previous project in 2000; however, several circumstances combined to delay the previous project and prevent those draft D&PR from coming into force.

6. *Canada Oil and Gas Diving Regulations and Guidance Notes*

For more information on this matter, refer to item 4 under *Amendments to Regulations and Rules* in the May 2001 issue of the *Regulatory Agenda*.

7. *The Canada Oil and Gas Geophysical Operations Regulations*

For more information on this matter, refer to item 6 under *Amendments to Regulations* in the October 2004 issue of the *Regulatory Agenda*.

Administrative Matters

Appointments

Dr. John S. Bulger has been re-appointed as a full-time member of the Board for a further term of three years. Dr. Bulger has been a permanent member of the Board since 1998.

Jim Donihee, the Board's Chief Operating Officer, and Judith Hanebury, Q.C., the Board's General Counsel, have been appointed as temporary members of the Board for a term of two years. The appointments of Mr. Donihee and Ms. Hanebury will provide the Board with flexibility to respond to peaks in the public hearing workload. They will continue in their substantive roles as Chief Operating Officer and General Counsel until such time as their services may be required on a public hearing.

Scheduled Energy Market Assessments (EMA) 2005-2006

1. *Conventional Natural Gas Resources of British Columbia: An Assessment of Ultimate Potential*

The NEB and the British Columbia Ministry of Energy and Mines will be assessing the ultimate potential of conventional natural gas resources of British Columbia. The report is expected to be released in September 2005.

2. *Short-term outlook for Natural Gas and NGLs 2000-2006*

This EMA will examine supply, demand, inventories, prices, etc., of natural gas and natural gas liquids from 2000 and provide an outlook to 2006. The report is expected to be released in October 2005.

3. *Short-term outlook for Canadian Crude Oil to 2006*

This EMA will present the Board's views on crude oil and petroleum product supply, prices and markets to 2006. The report is expected to be released in October 2005.

4. *Short-term Canadian Natural Gas Deliverability, 2005-2007*

This EMA will examine the factors which affect Canadian natural gas supply in the short-term and present an outlook for deliverability through to the year 2007. Factors examined include trends in industry activity and the production characteristics of gas wells. The report is expected to be released in October 2005.

5. *Natural Gas for Power Generation: Issues and Implications*

This EMA will examine the fastest growing segment of the North American natural gas market with emphasis on Canada. It would provide an outlook for future demand and related issues/implications for transportation services, storage and gas prices. The report is expected to be released in December 2005.

6. *Renewable and Alternative Sources of Power*

This EMA will address alternative and renewable technologies. Interest in alternative and renewable technologies, such as fuel cells, solar cells, wind, biomass, small-hydro and "clean coal," as credible supplemental energy sources continue to grow in Canada. Demand reduction (or demand response) programs may also be considered an energy source. The report is expected to be released in February 2006.

Instructions for Filing

All correspondence with the Board should be addressed to the Secretary, National Energy Board, 444 Seventh Avenue SW, Calgary, AB T2P 0X8 – Fax: (403) 292-5503.

Applications – Copies Required to be Filed

For a list of the number of copies required for the different types of applications, see our Internet site under the heading *Submit a Document*.

Communication Numbers

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Appendix I

Section 58 Applications

Gas Pipelines

Applicant	File/Order	Application	Est. Cost
Westcoast Energy Inc.	File: 3400-W005-348 Order: XG-W005-14-2005	Application dated 24 March 2005; approved on 18 May 2005. Replace a storage tank at the Fort Nelson Gas Plant in B.C.	323 000
TransCanada PipeLines Limited	File: 3400-T001-239 Order: XG-T001-15-2005	Application dated 2 March 2005; approved on 24 May 2005. Contaminant Sampling and Remediation Program at Station 130.	556 000
Maritimes & Northeast Pipeline Management Ltd.	File : 3400-M124-17 Order : XG-M124-16-2005	Application dated 7 April 2005; approved on 31 May 2005. Construct a custody transfer station facility to provide natural gas service to Heritage Gas Limited, the local distribution franchise for the Town of Amherst, Nova Scotia and surrounding area.	786 000

Appendix II

Other Filings

<i>Company</i>	<i>Date</i>	<i>Filing</i>
Express Pipeline Limited Partnership	2 May	File 4710-E092 – Audited financial statements for the years ended 31 December 2003 and 2004.
Terasen Pipelines (Trans Mountain) Inc.	4 May	Files 4200-T099-5 and 4775-T099 – Petroleum Tariff No. 56 and Refined Petroleum Tariff No. RP24 incorporating the final tolls approved by the Board in Order TO-03-2005.
Westcoast Energy Inc.	5 May	File 3400-W005-351 – Revised application to upgrade the sulphur pipeline access road at the Pine River Gas Plant.
TransCanada PipeLines Limited	6 May	File 3400-T001-240 – Application for 2005 Cathodic Protection Program (No. 2) – Ontario.
TransCanada PipeLines Limited	6 May	File 3400-T001-241 – Application for 2005 Cathodic Protection Program (No. 3) – Ontario.
Engage Energy US, LP	9 May	File 6200-E031-1 – Application to revoke electricity export permits EPE-151 and EPE-152.
Trans Quebec & Maritimes Pipeline Inc.	10 May	File 4750-T028-2005-1 – Quarterly Surveillance Report for the period ended 31 March 2005.
Westcoast Energy Inc.	12 May	File 4750-W005-2005-1 – Quarterly Surveillance Report – Transmission Division for the period ended 31 March 2005.
TransCanada PipeLines Limited	13 May	File 4750-T001-2005-1 – Quarterly Surveillance Report for the period ended 31 March 2005.

Appendix II

Other Filings (continued)

TransCanada Pipelines Limited BC System	13 May	File 4750-T054-2005-1 – Quarterly Surveillance Report for the period ended 31 March 2005.
TransCanada Pipelines Limited	19 May	File 3400-T001-243 – 2005 Cathodic Protection Program (No. 4) – Ontario.
Aurora Pipeline Company Ltd.	25 May	File 4710-A017 – Financial Statements for the year ended 31 December 2004.
Trans Quebec & Maritimes Pipeline Inc.	26 May	File 3402-T028-2-2004 – 2004 Annual Report of expenditures under Streamlining Order XG/XO-100-2002.
Manitoba Hydro	27 May	File 3400-M020-1 – Replacement of a portion of the Minnell Pipeline that became exposed across Silver Creek in Binscarth, Manitoba.
Trans-Northern Pipelines Inc.	27 May	File 3400-T002-12 – Replace a pipeline at highway 115/35 in the Municipality of Clarington, Ontario.
TransCanada Pipelines Limited	30 May	File 4200-T001-19-2 – Approval of Final Toll Schedules for the period of 1 January to 31 December 2004.
TransCanada Pipelines Limited	30 May	Files 4200-T001-20-1 and 4775-T001-1-2005 – Approval of final tolls for the 2005 test year, effective 1 July 2005.
Plains Marketing Canada L.P.	30 May	File 4775-P102-1-1 – Wascana Pipeline System – Tariff No. 7.6 effective 1 June 2005.
Montreal Pipe Line Limited	31 May	File 4775-M003-1-1 – Tariffs 115, 116 and 117 effective 1 July 2005.

Profile

The National Energy Board is a federal regulatory tribunal that was created on 2 November 1959 by an Act of Parliament.

The Board's regulatory powers under the *National Energy Board Act* include the granting of authorizations for the exportation of oil, natural gas and electricity, the certification of interprovincial and international pipelines and international power lines, and the setting of tolls and tariffs for oil and gas pipelines under federal jurisdiction.

In addition to its regulatory functions, the Board is responsible for advising the government on the development and use of energy resources.

The Act also requires that the Board keep under review the Canadian supply of all major energy commodities, with emphasis on electricity, oil, natural gas, and the by-products derived from

oil and natural gas, as well as the demand for Canadian energy in Canada and in export markets.

The Board's responsibilities under the *Canada Oil and Gas Operations Act* and certain provisions of the *Canada Petroleum Resources Act* encompass the regulation of exploration for and the development and production of oil and gas on Frontier Lands in a manner that promotes safety of the worker, protection of the environment, and conservation of hydrocarbon resources.

The Board also has specific responsibilities under the *Northern Pipeline Act* and the *Energy Administration Act*. In addition, Board inspectors have been appointed safety officers by Human Resources and Skills Development Canada to administer Part II of the *Canada Labour Code*.

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