

Filed in the Electronic Registry

April 29, 2014

National Energy Board
444 Seventh Avenue SW
Calgary, AB T2P 0X8

Attention: Sheri Young

Dear Ms. Young:

**RE: Trans Mountain Expansion Project Application
File OF-Fac-Oil-T260-2013-03 02
Hearing Order OH-001-2014
Notice of Motion by Robyn Allan dated April 14, 2013**

I am writing to advise that the Alberta Federation of Labour supports the Motion of Ms. Allan and all of her arguments made within the motion.

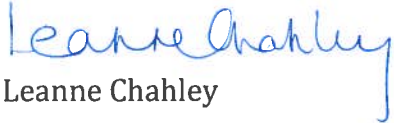
The AFL has participated in questioning in several of the Board's recent hearings, including those related to the Keystone and Keystone XL pipelines, Alberta Clipper and Northern Gateway. Although the Information Request process of the NEB is helpful; it is, in no respect, an opportunity to cross-examine witnesses on the details of their evidence. In fact, the Information Request process does not even contemplate an Intervenor being in a position to direct a question to a specific witness of Applicant, and certainly there is no opportunity to ask the many follow up questions that are only understandable after the response to the first question is given. Further, the evidence of the Intervenors is not required to be filed until the IR process directed to the Applicant is completed so there is no opportunity to put conflicts between the evidence of the Intervenors and that of the Applicant to the Applicant for its explanation.

It is only via public open questioning of witnesses that the Intervenors will be in a position to test the evidence of TransCanada and of the other parties who file evidence. Cross-examination provides the opportunity for all positions on a particular issue to be put to witnesses for reconciliation, explanation or to otherwise address the conflicts. The details of cross-examination on the evidence is critical for the Panel to have to before it to allow it to weigh the different evidence on the issues, determine which evidence it prefers when there is a conflict and to allow the panel to explain why it comes to that decision. Without that testing of the evidence,

it is submitted that the hearing will not and cannot accord with the principles of natural justice and it will not provide the Panel with the tools it needs to properly answer the questions raised before it.

The AFL urges the Board to proceed in a manner that reflects the importance of a fair and full hearing to a decision regarding the public interests of Canadians as is required in this case.

Yours truly,



Leanne Chahley

cc. to the parties by electronic mail or regular mail as stated in the list of parties.