



File OF-Fac-Oil-T260-2013-03 02
15 July 2014

To: Intervenors and Trans Mountain Pipeline ULC

Hearing Order OH-001-2014
Trans Mountain Pipeline ULC (Trans Mountain)
Application for the Trans Mountain Expansion Project
Excluded period from 11 July 2014 to 3 February 2015 pursuant to subsection 52(5)
of the *National Energy Board Act* (NEB Act)

On 10 June 2014, the National Energy Board (Board) received a [response](#) from Trans Mountain to a Board information request about Trans Mountain's preferred corridor. The response confirms that Trans Mountain has selected a new preferred corridor for its proposed delivery lines through the City of Burnaby.

The new preferred corridor contains the preferred route (Route 1 [horizontal directional drill or HDD]) and an alternate route (Route 2 [tunnel]). The response also confirms that, in order for Trans Mountain to meet the filing requirements for the Project, it must file surveys and information with the Board for Route 1 (HDD) and Route 2 (tunnel). This includes engineering, environmental, socio-economic, and geotechnical information. Trans Mountain has stated that it has not yet filed this necessary information and that it does not currently have access to Burnaby Mountain in order to complete surveys and collect such information. Trans Mountain anticipates the completed studies will be filed with the Board by 30 November 2014.

The Board has determined that the studies on Route 1 (HDD) and Route 2 (tunnel), and information related to those studies (together, the Corridor Studies), are required before the Board can make a recommendation to the Governor in Council about the Project, pursuant to subsection 52(1) of the NEB Act.

Consequently, the Board, with the approval of the Chairperson, is announcing an excluded period from **11 July 2014 until 3 February 2015** to allow Trans Mountain to file the Corridor Studies, pursuant to subsection 52(5) of the NEB Act. This period will not be included in the 15 month time limit.

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The NEB Act at subsections 52(5) and (6) states that:

- (5) If the Board requires the applicant to provide information or undertake a study with respect to the pipeline and the Board, with the Chairperson's approval, states publicly that this subsection applies, the period that is taken by the applicant to comply with the requirement is not included in the calculation of the time limit.
- (6) The Board shall make public the dates of the beginning and ending of the period referred to in subsection (5) as soon as each of them is known.

As a result of the excluded period, the legislated time limit for the Board to issue its report is now 25 January 2016.

The excluded period is strictly for the collection of studies and information related to Route 1 (HDD) and Route 2 (tunnel). Other matters and steps relating to the Project as it was applied for in December 2013 will continue to be dealt with, to the extent possible, during the excluded period.

The excluded period will result in revisions to the hearing schedule. In order to be clear about revised dates in the context of the overall hearing timeline, the Board has revised the hearing events and steps table that appeared in the Hearing Order. [Procedural Direction No. 4 – Revised hearing events and steps table \(15 July 2014\)](#), sets out the revised hearing events and steps, as of 15 July 2014.

If you have questions about the Board's hearing process and deadlines, please see the Board's [OH-001-2014 Hearing Order](#), Procedural Direction No. 4, or, as required, contact the Board's Process Advisor Team for this hearing by phone at 403-292-4800 or 1-800-899-1265 (toll-free), or by email at transmountainpipeline.hearing@neb-one.gc.ca.

Yours truly,

Original signed by

Sheri Young
Secretary of the Board