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January 26, 2016

MAIL ROOM
SALLE DE COURIER
2016 JAN 26 A 11:18
NEB/ONE

Sent by Fax: (1-877-288-8803)

National Energy Board
Att'n: Sheri Young, Secretary of the Board
517 Tenth Avenue SW
Calgary, AB T2R 0A8

Dear Ms. Young:

**Re: Enbridge Pipelines Inc. Line 10 Westover Segment Replacement Project
Application Pursuant to Section 58 of the National Energy Board Act and
Section 45.1 of the Onshore Pipeline Regulations
Hotz and Sons Limited,
Part of Lot 4, Concession 5, Glanford (currently Hamilton)
Our File No. 13447**

We are the solicitors for Hotz and Sons Limited. Our client owns lands on Part of Lot 4, Concession 5, Glanford (currently Hamilton). The Enbridge Pipelines Inc. ("Enbridge") Line 10 Westover Segment Replacement Project referred to above proposes to cross the lands owned by our client. The proposal also includes the decommissioning of a pipeline on additional lands owned by Hotz.

The lands where Enbridge has proposed to re-locate a portion of the Line 10 Westover Segment replacement pipeline is currently the subject of an application for subdivision approval before the City of Hamilton known as the Mountaingate Community. The Mountaingate application before the City includes a long planned stormwater management ("SWM") facility

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TURKSTRA MAZZA ASSOCIATES, LAWYERS

Letter to S. Young, NEB
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on the lands in question that would ultimately be assumed by the City as a public facility, if approved. Enbridge has proposed to locate the pipeline and associated 10 m permanent easement within the Ministry of Transportation ("MTO") 14 m "setback" area adjacent to the location of the proposed SWM pond and within the MTO permitting area. A proposed temporary work easement space of an additional 18 m, also contemplated by Enbridge, would overlap the areas including but not limited to those certain areas proposed as designated access roads to the SWM facility. Attached is the Enbridge drawing which illustrates the proposed permanent and temporary easement locations and access road.

We are writing the NEB to advise of potential concerns with the Line 10 Westover Replacement Project should it have any impact on the approval process before the City. As indicated above, the Enbridge proposal on our client's lands is also impacted by provincial authority of the MTO regarding the placement of the proposed pipeline and ultimate municipal assumption of these lands for the SWM facility.

We are willing to continue our dialogue with Enbridge but will object to any proposal that prevents or delays the planned approval process for this community. As we understand the application was submitted to the NEB by Enbridge in December, we kindly request that you advise us of the status of this matter and that notification be provided to the undersigned and directly to the landowner of any further steps in the application, including any deadlines to submit further comment.

Yours truly,



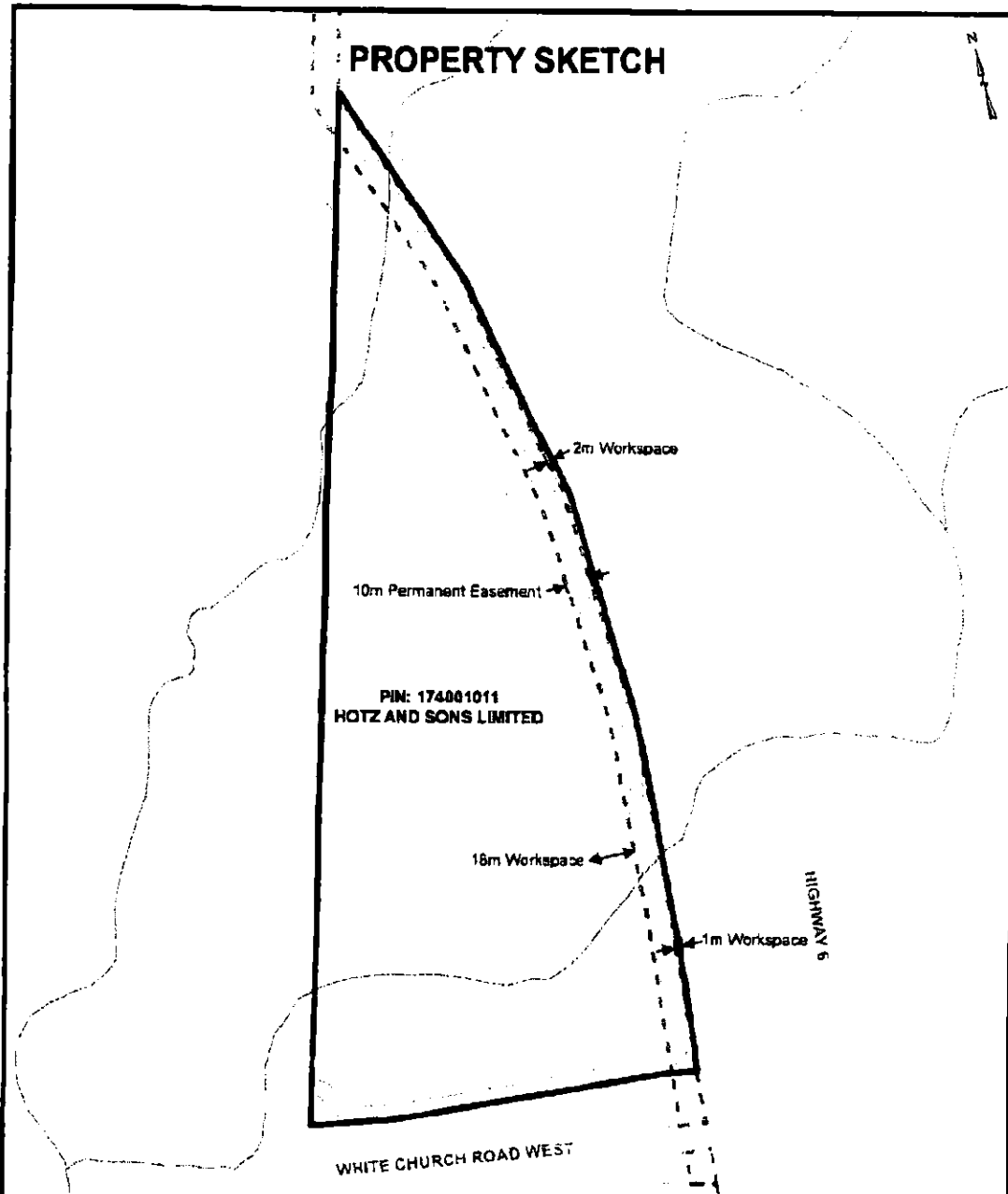
Shelley Kaufman

Cc: Ken Hall, Enbridge
Erin MacDonald, Enbridge
M. Hotz

SKnd
13447/26
Encls.

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AREA REQUIRED FOR R/W:	1.015 Ac.	PERMANENT EASEMENT
AREA REQUIRED FOR W/S:	2.021 Ac.	TEMPORARY & EXTRA TEMPORARY WORKSPACE
ACCESS INCLUDED IN W/S TOTAL		ACCESS ROAD
LINEAR DISTANCE ALONG C/L LINE:	410.9 m	

ENBRIDGE PIPELINES INC.

Property Sketch
 Tract #: L10RW0093
 SHOWING APPROXIMATE LOCATION OF
 PROPOSED PIPELINE RIGHT OF WAY AND TEMPORARY WORKSPACE
 WITHIN
 LOT 4 CON 5
 GLANFORD Township, Ontario

Note: This document is for discussion purposes only. All calculations are approximate and will be corrected once a full survey is completed.

Date: 2015-09-21
 File: 15015-0002 - Property Sketch - L10RW0093
 SCALE 1:2,000