



File OF-Fac-Oil-T260-2013-03 02
2 April 2014

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Dear Mr. Stoness and Mr. Denstedt:

**Trans Mountain Pipeline ULC (Trans Mountain)
Application for the Trans Mountain Expansion Project dated 16 December 2013
(Application)
Hearing Order OH-001-2014**

On 16 December 2013, Trans Mountain applied to the National Energy Board (Board) for a certificate of public convenience and necessity and related approvals for its proposed Trans Mountain Expansion Project, pursuant to the *National Energy Board Act*.

As detailed in a [separate letter](#) dated 2 April 2014, the Board has determined that the Application is complete to proceed to assessment. As a result, a public hearing will be held.

The Board is issuing the attached Hearing Order OH-001-2014 detailing the steps and deadlines that will be followed during the Application assessment and public hearing process. The process has been designed to be fair, transparent, and efficient, and to provide certainty to all those involved.

The Board will also conduct an environmental assessment under the *Canadian Environmental Assessment Act, 2012*, which will be included in the Board's report to the Minister of Natural Resources. For more information, see the Board's 2 April 2014 [Factors and Scope of the Factors for the Environmental Assessment pursuant to the Canadian Environmental Assessment Act, 2012](#).

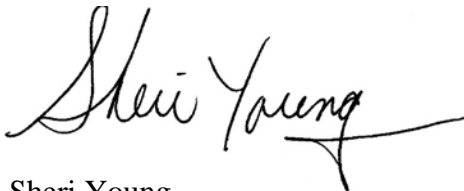
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The Board determined who will be allowed to participate in the hearing after holding an application process between 15 January and 12 February 2014. See the Board's 2 April 2014 [Ruling on Participation](#) for information on how the Board determined the participants in this hearing, and their methods of participation.

Trans Mountain is directed to offer an electronic version of its Application to libraries and municipalities along the project route. It must also post on its website a list of those locations that have agreed to house the Application. Once this list is posted, the public should contact individual locations for viewing information.

If there are any questions regarding this Hearing Order, please contact the Board's Process Advisor Team for this project 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,

A handwritten signature in black ink that reads "Sheri Young". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Sheri Young
Secretary of the Board

c.c. List of Participants
Distribution list (attached)

Attachments

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National Energy
Board



Office national
de l'énergie

**Trans Mountain Pipeline ULC
Trans Mountain Expansion Project**

**File Number OF-Fac-Oil-T260-2013-03 02
Hearing Order OH-001-2014
2 April 2014**

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1 HEARING OVERVIEW

1.1 Introduction

The National Energy Board (NEB or Board) has a responsibility to regulate the construction and operation of certain interprovincial and international pipelines and power lines. A three-member Panel, representing the Board, will review the proposed Trans Mountain Expansion Project (Project) and will prepare a report and make a recommendation to the Governor in Council as to whether or not the Project should proceed and, if so, under what conditions. Even if the Board recommends that the Project should not proceed, the Board must still provide conditions for any potential approval by Governor in Council.

On 16 December 2013, Trans Mountain Pipeline ULC (Trans Mountain) applied to the Board for permission to build and operate approximately 987 kilometres of new oil pipeline, and to reactivate 193 kilometres of existing oil pipeline, all between Edmonton, Alberta, and Burnaby, British Columbia. New pump stations would be added along the route. The Project would increase oil deliveries to Burnaby for export by marine tankers. To accommodate these deliveries and Project-related tanker traffic, Trans Mountain proposes to add new oil storage tanks and tanker berths at its Westridge Marine Terminal.

The Board will hold a public hearing to consider whether to recommend approval of this Project. During the hearing process, the Board will receive written evidence that will be available in an online [public registry](#) on the Board's [website](#). The hearing will also include oral portions. The Board will use various ways to gather and test evidence and will review and consider all of the evidence on the record before making a recommendation. The Board will rely only on the evidence on the record.

The steps and deadlines in the hearing, as outlined in this Hearing Order, are important to make the hearing fair, transparent, and efficient, and they provide certainty to all those involved.

The Board's recommendation report to the Governor in Council (Report) will consider whether the Project is in the public interest. After receiving the Report, the Governor in Council has three months to make a decision as to whether the Board should issue a certificate of public convenience and necessity. Alternatively, the Governor in Council may refer the recommendation, or any conditions in the Report, back to the Board for reconsideration.

1.2 Hearing time limit

As detailed in a separate [Board letter](#) of 2 April 2014, the Board has determined that the Project application is complete to proceed to assessment.

The Board now has 15 months to complete its review. It must submit its Report to the Governor in Council no later than **2 July 2015**. This represents the maximum time to complete the review, subject to any modifications allowed under the *National Energy Board Act* (NEB Act).

The deadlines in this Hearing Order are critical to allow this hearing to be completed within the legislated time limit.

1.3 What issues will the Board consider?

The issues the Board will consider in this hearing are found in the previously released List of Issues (attached as Appendix I).

1.4 Will there be an environmental assessment?

The Project involves constructing and operating more than 40 kilometres of new pipeline. Such activities are listed in the *Regulations Designating Physical Activities*, which makes the Project a “designated project” under the *Canadian Environmental Assessment Act, 2012*. As a result, the Board is required to conduct an environmental assessment of the Project under that Act. The Board also considers environmental matters under the NEB Act. The Board’s environmental assessment of the project will form part of its overall Report.

[The Factors and Scope of the Factors for the Environmental Assessment pursuant to the Canadian Environmental Assessment Act, 2012](#) can be found on the online [public registry](#) as a separate document dated 2 April 2014.

1.5 What is evidence?

Evidence is what the Board will consider in its review of the Project. Evidence is comprised of the reports, statements, oral Aboriginal traditional information, photographs, letters, and other material that the hearing participants file during the hearing. Evidence is used to support one’s position on the Project application.

1.6 What did Trans Mountain request in its application?

Trans Mountain requested that the Board:

- recommend issuance of a certificate of public convenience and necessity, pursuant to section 52 of the NEB Act, authorizing the construction and operation of the Project;
- issue an order, pursuant to section 58 of the NEB Act, exempting Trans Mountain from the requirements of subsections 31(c), 31(d), and section 33 of the NEB Act in relation to yet-to-be-specified select temporary lands or infrastructure required for construction of the Project; and
- grant such further and other relief as Trans Mountain may request or the Board may consider appropriate.

1.7 Where can I see Trans Mountain’s Project application?

If you have internet access, you can find the Project application and all other documents filed in the hearing on the online [public registry](#). The only exceptions are when a document is too large

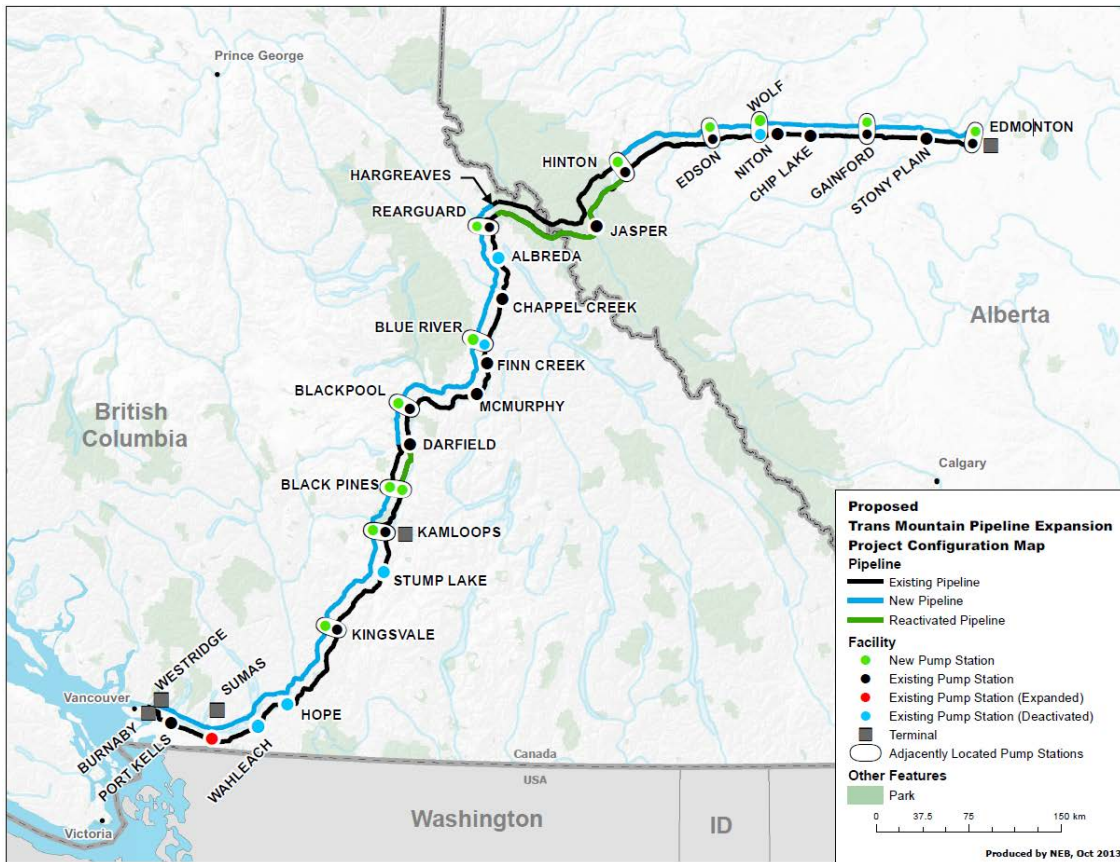
to upload (see Section 4.2.3) or the Board has approved it as confidential information (see Section 4.5).

If you do not have internet access, you can find the application at the NEB library located at 444 Seventh Avenue SW in Calgary, Alberta.

As directed in the cover letter to this Hearing Order, Trans Mountain will post on its [website](#) a list of libraries and municipalities that have agreed to house an electronic version of the project application. Please visit or contact individual locations for viewing information.

You can inquire about paper copies of the application by contacting Trans Mountain at 1-866-514-6700 (toll-free) or info@transmountain.com.

1.8 Project overview map



1.9 Where can I get help or more information about the hearing process?

The Board has many staff members that can answer questions throughout the hearing process. This includes a dedicated [Process Advisor Team](#) to provide you with information and assistance on how to effectively participate. Appendix II fully explains the Process Advisor Team’s role. Section 5 contains contact information and lists other staff members that can help you with specific topics.

The Board has set up a dedicated [Project webpage](#) where you can access valuable information about this specific hearing process.

You can also sign up to receive email updates from the Board during the Project review. To sign up, click [here](#) or visit the Board's [Project webpage](#).

The Board has developed a [Hearing Process Handbook and related video](#) that provide an overview of its hearing processes, in general. You can request copies of NEB publications through the NEB library by emailing publications@neb-one.gc.ca or calling 403-292-3562 (toll-free: 1-800-899-1265).

The [National Energy Board Rules of Practice and Procedure, 1995](#) provides detailed information about the Board's hearing processes. In the event of a discrepancy between the Rules and this Hearing Order, this Hearing Order should be followed.

2 PARTICIPATION IN THE HEARING

The Board determined who will be allowed to participate in the hearing after holding an application process between 15 January and 12 February 2014. See the Board's 2 April 2014 [Ruling on Participation](#), found on the online [public registry](#), for information on how the Board determined the participants in this hearing, and their methods of participation.

There are two methods of participation: commenters (Section 2.1) and intervenors (Section 2.2).

The List of Participants in this hearing is attached to the Board's [Ruling on Participation](#). This list identifies all participants and their approved method of participation. [Part A](#) lists the intervenors; [Part B](#) lists the commenters.

2.1 Commenters

As a commenter, you are allowed to file one letter of comment. It will be placed on the online [public registry](#), will form part of the hearing record, and the Board will read and consider it. Any additional letters or submissions will not be included on the record or considered.

As a commenter, you will not be able to ask questions about evidence or present argument.

Commenters will not be notified of, or receive, documents that are filed on the online [public registry](#). You will need to monitor the registry if you wish to remain aware of new filings on the record.

More details on letters of comment are found in Section 3.1.

2.2 Intervenor

As an intervenor, you will be allowed to, among other things:

- file written evidence;
- ask written questions about Trans Mountain's and other intervenors' evidence;
- file, and potentially respond to, notices of motion;
- comment on draft conditions; and
- present written and oral argument.

If you give evidence, you must, in writing, answer any written questions from the Board, Trans Mountain, or other intervenors about your evidence.

Intervenors will be notified of, or receive, all documents that are on the online [public registry](#). This includes the application, evidence, notices of motion, and all related materials.

Depending on how active you are as an intervenor, you may face a significant time commitment during the hearing. You have a number of responsibilities. You also have various privileges, and participation opportunities afforded to you. Detailed information on intervenor deadlines and responsibilities is found in Section 3.

Intervenors may apply for funding under the Board's Participant Funding Program to assist in preparing for and participating in the hearing process (see Section 3.2.1 for more details).

2.3 Can I withdraw?

If you have been allowed to participate, you can withdraw from the hearing process at any time by telling us in writing (through e-filing, mail, fax, or hand delivery), although you are not required to formally withdraw if you no longer wish to participate. You may choose to still retain your participation status, take no action, and simply monitor the progress of the hearing.

As an intervenor, unless you formally withdraw, you will continue to regularly receive email notifications and/or hard copies of documents.

3 HEARING EVENTS, STEPS, AND DEADLINES

Throughout the hearing process, the Board will issue Procedural Updates that will fully describe certain identified events and steps in detail so that all participants understand what is expected and how to fulfil their responsibilities. Cover letters to documents and information that the Board releases may also contain valuable information about hearing procedures.

Hearing events and steps (responsible person[s] in bold) ¹	Date or deadline (noon Pacific time; 1:00 pm Mountain time)
Project application filed with the Board.	16 December 2013
Board makes determination on Project application completeness, establishes hearing time limit, identifies hearing participants, and releases Hearing Order.	2 April 2014
Trans Mountain serves Project application and all related documents on each intervenor who has not already received a copy. <i>If unable to do so via email (i.e., due to an invalid or no email address), Trans Mountain may serve a letter on those intervenors asking how they wish to receive the application (e.g., hard copy, other electronic media).</i>	Immediately after receiving Hearing Order
Intervenor workshop, part 1: written submissions (multiple online sessions)	8-14 April 2014
Board Round 1 information requests to Trans Mountain.	17 April 2014
Board releases draft conditions for information purposes.	17 April 2014
Intervenor Round 1 information requests to Trans Mountain. <i>Each information request must be relevant to one or more of the issues identified in Appendix I. Information requests must be served on Trans Mountain, its counsel, and all other intervenors.</i>	2 May 2014
Trans Mountain responds to Round 1 Board information requests. <i>Responses must be served on all intervenors.</i>	14 May 2014
Letter of comment workshop (multiple online sessions)	Mid-May 2014
Trans Mountain responds to Round 1 intervenor information requests. <i>Responses must be served on all intervenors.</i>	29 May 2014
Aboriginal intervenors file notices of intent to provide oral traditional evidence.	5 June 2014
Motion Day #1 – As considered necessary, intervenors file notices of motion on the adequacy of Trans Mountain’s responses to information requests. <i>Notices of motion must be served on Trans Mountain, its counsel, and all other intervenors.</i>	11 June 2014
Board Round 2 information requests to Trans Mountain.	4 July 2014
Trans Mountain responds to Round 2 Board information requests. <i>Responses must be served on all intervenors.</i>	21 July 2014
Letter of comment workshop (multiple online sessions)	Mid-August 2014

¹ All produced documents must be filed with the Board so they can be placed on the hearing record and considered.

Hearing events and steps (responsible person[s] in bold) ¹	Date or deadline (noon Pacific time; 1:00 pm Mountain time)
Oral hearings: to collect, and allow questioning of, oral Aboriginal traditional evidence.	5 August 2014 – 4 September 2014
Trans Mountain files supplemental evidence.	4 September 2014
Commenters file letters of comment. <i>Letters must be served on Trans Mountain and its counsel.</i>	9 September 2014
Intervenor Round 2 information requests to Trans Mountain. <i>Each information request must be relevant to one or more of the issues identified in Appendix I. Information requests must be served on Trans Mountain, its counsel, and all other intervenors.</i>	11 September 2014
Trans Mountain responds to Round 2 intervenor information requests. <i>Responses must be served on all intervenors.</i>	25 September 2014
Motion Day #2 – As considered necessary, intervenors file notices of motion on the adequacy of Trans Mountain’s responses to information requests. <i>Notices of motion must be served on Trans Mountain, its counsel, and all other intervenors.</i>	2 October 2014
Intervenors file written evidence. <i>Evidence must be relevant to one or more of the issues identified in Appendix I. Evidence must be served on Trans Mountain, its counsel, and all other intervenors.</i>	3 November 2014
Intervenor information requests to other intervenors. <i>Each information request must be relevant to one or more of the issues identified in Appendix I. Information requests must be served on the relevant intervenors, with a copy also served on Trans Mountain, its counsel, and all other intervenors.</i>	14 November 2014
Trans Mountain information requests to intervenors. <i>Each information request must be relevant to one or more of the issues identified in Appendix I. Information requests must be served on the relevant intervenors, with a copy also served all other intervenors.</i>	14 November 2014
Intervenors respond to other intervenor information requests. <i>Responses must be served on Trans Mountain, its counsel, and all other intervenors.</i>	26 November 2014
Intervenors respond to Trans Mountain information requests. <i>Responses must be served on Trans Mountain, its counsel, and all other intervenors.</i>	26 November 2014
Board releases draft conditions for comment.	3 December 2014

Hearing events and steps (responsible person[s] in bold)¹	Date or deadline (noon Pacific time; 1:00 pm Mountain time)
Intervenor workshop, part 2: oral submissions (multiple online sessions)	Mid-December 2014
Board Round 3 information requests to Trans Mountain.	18 December 2014
Board information requests to intervenors.	18 December 2014
Intervenors respond to Board information requests. <i>Responses must be served on Trans Mountain, its counsel, and all other intervenors.</i>	8 January 2015
Trans Mountain responds to Round 3 Board information requests. <i>Responses must be served on all intervenors.</i>	8 January 2015
Trans Mountain files reply evidence. <i>Evidence must be served on all intervenors.</i>	13 January 2015
Intervenors and Trans Mountain file affidavits swearing evidence.	13 January 2015
Intervenors and Trans Mountain file notices of intent to present oral summary argument and/or reply argument.	13 January 2015
Intervenor workshop, part 2: oral submissions (multiple online sessions)	Mid-January 2015
Trans Mountain files written argument-in-chief, including comments on draft conditions. <i>Comments on conditions must be included in written argument-in-chief; they cannot be raised for the first time during oral argument. No new evidence can be provided in written argument-in-chief. Written argument-in-chief must be served on all intervenors.</i>	20 January 2015
Oral hearings: to hear Trans Mountain's oral summary argument. <i>No new evidence can be provided in oral argument. Time limits will be imposed.</i>	Late-January 2015
Intervenors file written argument-in-chief and reply to Trans Mountain including comments on draft conditions. <i>Comments on conditions must be included in written argument-in-chief; they cannot be raised for the first time during oral argument. No new evidence can be provided in written argument-in-chief. Written argument-in-chief must be served on Trans Mountain, its counsel, and all other intervenors.</i>	6 February 2015
Oral hearings: to hear intervenors' oral summary argument and/or reply argument. <i>No new evidence can be provided in oral argument. Time limits will be imposed.</i>	February 2015

Hearing events and steps (responsible person[s] in bold) ¹	Date or deadline (noon Pacific time; 1:00 pm Mountain time)
Trans Mountain files written reply argument.	March 2015
Hearing record closes.	Immediately after finishing argument
Board releases its Report to the Governor in Council and provides it to the Minister of Natural Resources	2 July 2015 (time limit end)

3.1 More information for commenters

Your letter of comment should be in one of Canada’s official languages (English or French). It should describe your views on the Project and include:

- your name, mailing address, and phone number;
- the name of your organization, if you represent one;
- comments on how you would be impacted positively or negatively by the Project, or any relevant information or expertise that you can offer to assist in the Board’s review; and
- any information that explains or supports your comments.

There is no page limit to your letter, although clear and well-organized letters are encouraged.

3.2 More information for intervenors

3.2.1 Participant funding

The Board is making funds available through its Participant Funding Program to help intervenors prepare for and participate in the hearing process. To receive funding, intervenors must first apply for it. An independent funding committee will make funding decisions throughout the hearing process as applications are received. Funding will only be paid out for hearing-related activities conducted **after** your funding application has been approved.

The funding application process opened on **22 July 2013** to allow potential intervenors the opportunity to apply and receive funding decisions as early as possible, in the event they were granted intervenor status. Confirmed intervenors are again encouraged to apply for funding as early as possible, since, as noted above, funding will only be paid out for activities taking place after your application has been approved. The last day to apply for funding is **6 January 2015**.

Please review the [Participant Funding Program Guide](#) to determine how to apply and what funding will cover. To learn more about the Participant Funding Program, please visit the Board’s [program webpage](#), or contact the Participant Funding Coordinator at PPF.PAFP@neb-one.gc.ca or 1-800-899-1265.

3.2.2 Intervenor information requests to Trans Mountain

The Board has provided intervenors with two opportunities to ask information requests of Trans Mountain. The deadlines are **2 May** and **11 September 2014**. Although you may do so, you are not required to ask information requests on both deadlines. The Board notes that intervenors may wish to ask the majority of their questions in the first round in order to gather evidence early on. Should intervenors wish, the second round may be used for asking questions to clarify or supplement the answers received in the first round, and to question additional evidence that Trans Mountain may file.

3.3 More information about the oral hearings

The Board will hold two separate oral hearing portions: one to collect, and allow questioning of, oral Aboriginal traditional evidence; the other to hear oral argument by Trans Mountain and then intervenors. In both instances, Board staff will be available in the hearing room prior to the hearings to explain the layout of the hearing room and answer any process questions.

3.3.1 Oral Aboriginal traditional evidence

Between **5 August and 4 September 2014**, Aboriginal intervenors may choose to provide traditional evidence orally. This would be in addition to their written evidence, if any. This oral evidence may be questioned orally by other intervenors, Trans Mountain, or the Board.

Aboriginal intervenors must, by **5 June 2014**, notify us in writing of their intent to provide oral traditional evidence.

The Board will provide all of the necessary details (e.g., dates, location(s), expectations) at a later time.

3.3.2 Oral argument

In **January 2015**, the Board will hear oral summary argument from Trans Mountain. Intervenors will present oral summary argument and reply argument in **February 2015**.

Intervenors and Trans Mountain must, by **13 January 2015**, notify the Board in writing of their intent to present oral summary argument and/or reply argument.

Full details on oral argument (including procedures, time limits, dates, location[s]) will be provided at a later time.

3.3.3 Oral hearing broadcasts and transcripts

The Board will broadcast the oral hearings live over the internet. The Board will provide more information on this as the oral hearings approach. The oral hearings will also be transcribed daily. Transcripts will be available on the online [public registry](#).

Anyone can order transcripts directly from International Reporting Inc. This can be done at the oral hearings, by emailing bsprouse@irri.net, or by calling 1-800-899-0006. There may be a fee for this service.

3.4 More information about online workshops

Three distinct online workshops are planned to provide hearing participants with information and assistance in preparing submissions. To the extent that information is known at this time, these are summarized below.

Workshop	Session #	Date
Intervenor workshop, part 1: written submissions (writing information requests, evidence, notices of motion; how to file documents)	1	Tuesday, 8 April 2014
	2	Wednesday, 9 April 2014
	3	Thursday, 10 April 2014
	4	Friday, 11 April 2014
	5	Monday, 14 April 2014
Intervenor workshop, part 2: oral submissions (presenting argument, commenting on conditions, oral hearing format)	Workshops are planned for mid-December 2014 and mid-January 2015. The number of sessions and exact dates will be determined and communicated.	
Letter of comment workshop (writing and filing letters of comment)	Workshops are planned for mid-May and mid-August 2014. The number of sessions and exact dates will be determined and communicated.	

Please visit the Board’s [Project webpage](#) for complete details and updates on these workshops and for sign-up information. The Board will also communicate details when future sessions are confirmed. In the meantime, please contact the [Process Advisor Team](#) with any questions you may have.

4 PROCEDURES AND GUIDANCE

4.1 How do I prepare documents?

Every document you file with the Board or serve on Trans Mountain or intervenors must refer to Hearing Order OH-001-2014.

Address all documents to the proper recipient. For example, anything intended for the Board should be addressed to the Secretary of the Board (see Section 4.2.4 for contact information). Documents directed at others (e.g., responses to other participants’ information requests) should be addressed to them using the [List of Participants: Part A – Intervenors](#) as a guide.

All documents must be in Adobe® PDF format. To minimize technical issues, please use the latest version of Adobe® Acrobat®. Number document pages consecutively, including blank pages, so the electronic page numbers match the page numbers showing in your document.

Due to system constraints, all files must be kept under 5 megabytes (MB). If you have a document over that file size, you will need to split it up into files that fall under the size limit before filing.

Sign any document you file, unless it originates from an online form where signing is not an option (e.g., from your [NEB account](#)).

Do not provide references to websites. Instead, provide the actual information you want to refer to. If using information sourced from a website, it must be filed in Adobe® PDF format with an indication of the date the information was taken from the website.

4.2 How do I file documents with the Board?

The Board requires you to file your documents online if you are able to do so. This can be done through the Board's [e-filing system](#) (for intervenors and Trans Mountain) or through your existing [NEB account](#) (for commenters).

You **cannot** file documents by email. Documents received by email will not form part of the hearing record and will not be considered by the Board.

4.2.1 Intervenor document filing (e-filing)

Intervenor documents should be filed through the Board's online [e-filing system](#), using the following steps:

- From the above link, follow the instructions to submit your Project-specific document(s). Refer to the [Filer's Guide to Electronic Submission](#) for more information (also linked to from the system's main page).
- You will receive an email containing a filing receipt. Print the receipt and sign it.
- Send the Board one signed hard copy of both the e-filed document(s) and the filing receipt by mail, fax, or hand delivery (see Section 4.2.4 for contact information).

4.2.2 Filing letters of comment

As a commenter, the easiest way to electronically file your letter is through your online [NEB account](#), which you set up when applying to participate in this hearing process. That option will be available to you when you log into your account. If you are having difficulties doing this, you can also use the Board's [e-filing system](#) that is described in Section 4.2.1.

You must serve your letter on Trans Mountain and its counsel using their contact information from either [Part A](#) or [Part B](#) of the List of Participants. See Section 4.3 for guidance on serving documents electronically.

4.2.3 What if I cannot file documents online?

If you are unable to use the internet and cannot e-file documents, you can file documents with us in person, by mail, or by fax, using the contact information in Section 4.2.4. Mailed or couriered documents that are received after a filing deadline, but are date-stamped by the post office or courier on or before the deadline, will be considered as filed on time.

If filing in person, by mail, or by fax, you must file one signed hard copy with the Board. If you are an intervenor, you must also send one hard copy to Trans Mountain, its counsel, and on any other intervenor that has said it cannot access files online (indicated on the [List of Participants: Part A – Intervenors](#)). The Board will upload the file(s) to the online [public registry](#).

If you are a commenter, you must also serve one hard copy on Trans Mountain and its counsel using their contact information found in either [Part A](#) or [Part B](#) of the List of Participants.

You can also use this method of filing if you have documents that cannot be scanned and made into an electronic copy (e.g. if it is physically too large to scan). In these cases, Board staff will put an electronic placeholder on the online [public registry](#) that indicates a document has been filed in hard copy and is available in the Board's library, but cannot be viewed or searched online.

4.2.4 Who do I send or address documents to at the Board?

Use the following information when sending correspondence and documents to the Board.

Secretary of the Board
National Energy Board
444 Seventh Avenue SW
Calgary, AB T2P 0X8
Fax: 403-292-5503 (toll-free: 1-877-288-8803)

4.3 How do I serve documents on others?

If you are an intervenor, you are required to serve your documents on Trans Mountain, its counsel, and all other intervenors. Trans Mountain is required to serve its documents on each intervenor.

The [List of Participants: Part A – Intervenors](#) identifies who is able to access online documents. Serving a document on these participants simply requires you to notify them by email when you have successfully filed the document; the easiest way being to forward them the filing receipt you received by email (see Section 4.2.1). Since you will need to send an email to multiple participants, you may want to consider creating an email group/list so that you can send one email to several addresses, as opposed to several emails to several addresses.

If the [List of Participants: Part A – Intervenors](#) indicates an intervenor is unable to access documents online, you must provide that intervenor with a hard copy of each document you file. Their preferred method of service (e.g., fax, mail) will be indicated next to their name.

If you, yourself, cannot use the internet, you will need to provide each intervenor and Trans Mountain with a hard copy of your filed documents, either by fax, mail, or hand delivery.

4.4 How do I raise a question of procedure or substance that requires a Board decision?

If you want to ask the Board to do something, such as to extend a particular deadline, you must file a request. This is called a notice of motion. A notice of motion must include:

- a concise statement of the facts;
- the grounds for the request;
- the decision or relief requested;
- the impact of granting the request on other hearing participants; and
- any other information which supports the request.

Your notice of motion must be:

- in writing;
- signed by the person making the request, or by an authorized representative;
- divided into consecutively numbered paragraphs;
- served on, as applicable, Trans Mountain and all intervenors; and
- filed separately from any other correspondence.

If you are relying on case law or other authorities to support your position, you must include a book of authorities and highlight the specific passages you are relying on.

The Board may provide an opportunity for Trans Mountain and intervenors to comment on a notice of motion. This decision would be based on the nature of the request, and the circumstances surrounding it.

For more information, see section 35 of the [*National Energy Board Rules of Practice and Procedure, 1995*](#).

4.5 Will you keep my evidence confidential?

All evidence for this hearing will be available on the online [public registry](#), unless you file a notice of motion to keep your evidence confidential under sections 16.1 or 16.2 of the NEB Act, and the Board grants your request for confidentiality. It is important to file your notice of motion, and await the Board's response, in advance of filing your evidence. This will prevent your evidence from appearing publically.

If the Board grants your request for confidentiality, there are specific and important procedures to follow when filing that evidence. Please contact the [Process Advisor Team](#) to discuss these steps (see Section 5 for contact information).

5 WHO CAN I CONTACT FOR HELP?

You are encouraged to contact Board staff with any questions you may have during the hearing process. By calling 403-292-4800 or 1-800-899-1265 (toll-free) and choosing the Trans Mountain Expansion Project from the list of hearings, you will be directed to someone who can help you with your Project-specific question. Callback numbers that are left will be followed-up on as soon as possible.

If you would prefer ask your questions by email, the following groups can help you:

Group and role	Email address	Type of help
Process Advisor Team	transmountainpipeline.hearing@neb-one.gc.ca	For questions or help regarding the hearing process and how to effectively participate in it. ²
Regulatory Officers	TMX.regulatoryofficer@neb-one.gc.ca	For questions or help with filing or serving documents, evidence or exhibit numbers, or if you are having technical issues.
Participant Funding Coordinator	PF.PAFP@neb-one.gc.ca	For questions about the Board's Participant Funding Program and participant funding for this project.

² Appendix II provides more details on what the Process Advisor Team can and cannot do to help you during the hearing process.

Appendix I – List of Issues

1. The need for the proposed project.
2. The economic feasibility of the proposed project.
3. The potential commercial impacts of the proposed project.
4. The potential environmental and socio-economic effects of the proposed project, including any cumulative environmental effects that are likely to result from the project, including those required to be considered by the NEB's *Filing Manual*.
5. The potential environmental and socio-economic effects of marine shipping activities that would result from the proposed project, including the potential effects of accidents or malfunctions that may occur.
6. The appropriateness of the general route and land requirements for the proposed project.
7. The suitability of the design of the proposed project.
8. The terms and conditions to be included in any approval the Board may issue.
9. Potential impacts of the project on Aboriginal interests.
10. Potential impacts of the project on landowners and land use.
11. Contingency planning for spills, accidents or malfunctions, during construction and operation of the project.
12. Safety and security during construction of the proposed project and operation of the project, including emergency response planning and third-party damage prevention.

The Board does not intend to consider the environmental and socio-economic effects associated with upstream activities, the development of oil sands, or the downstream use of the oil transported by the pipeline.

Appendix II – Role of the Process Advisor Team

The Process Advisor Team can:

- Answer your questions about the hearing process.
- Explain what you can and cannot do in the role of a commenter or intervenor.
- Organize and run public workshops.
- Answer your questions about the Participant Funding Program and how to apply.
- Provide samples and templates and answer your questions about them.
- Explain your role in the hearing process.
- Answer your process questions in person during the oral hearings.

The Process Advisor Team cannot:

- Make your case for you. That means they **cannot**:
 - Interpret the evidence for you.
 - Tell you what information you should give to the Panel members.
 - Tell you how to best present your information.
 - Write your questions or evidence.
- Talk to the Panel members on your behalf.
- Talk to Trans Mountain on your behalf.