Hearing Order OH-4-2011
for the
Northern Gateway Pipelines Inc.
Enbridge Northern Gateway Project

5 May 2011

Table of Contents for Hearing Order OH-4-2011

1 The Northern Gateway Application 1
2 Public Viewing of the Application 2
3 Joint Review Process Overview 2
4 Fairness and Efficiency 5
5 Information Sessions 5
6 Process Advisory Team 6
7 How to Participate 6
7.1 Letter of Comment 7
7.2 Oral Statement 8
7.3 Intervenor and Government Participant Status 9
7.3.1 Intervenor 9
7.3.2 Government Participants 10
7.3.3 How to Register for Intervenor or Government Participant Status 10
8 Steps in the Process 11
8.1 Additional Written Evidence from Northern Gateway 11
8.2 Registration of Parties and List of Parties 11
8.3 Information Requests to Northern Gateway 12
8.4 Registration Deadline for Presenting at the Community Hearings 12
8.5 Evidence Submissions from Intervenors and Government Participants 12
8.6 Community Hearings 13
8.7 Information Requests to other Parties 13
8.8 Northern Gateway Reply Evidence 14
8.9 Final Hearings 14
9 Submitting Documents 15
9.1 Electronic Submission Process 15
9.2 Submission Process if You cannot Submit Documents Electronically 16
9.3 Submission Process for Letters of Comment, and Registration Forms for Participation . 17
9.4 Copies of Application 18
9.5 Confidential Information 18
9.6 References to Websites 18
10 Motions 19
11 Interpretation 19
12 Transcripts 20
13 Live Broadcasts 20
14 Further Information 20
Appendix I - List of Issues 21
Appendix II - Timetable of Events 26
Appendix III - List of Public Viewing Locations 28
Appendix IV - Registration Forms for Participation 29
Appendix V - Notice of Motion 37

File OF-Fac-Oil-N304-2010-01 01
5 May 2011

Hearing Order OH-4-2011 for the
Northern Gateway Pipelines Inc.
Enbridge Northern Gateway Project Application of 27 May 2010

The Joint Review Panel (Panel) for the Enbridge Northern Gateway Project (Project) is issuing this Hearing Order to outline the joint review process along with the available participation options.

The joint review process is designed to gather information from all viewpoints. The process is public and open to anyone who wishes to participate. The continued participation of all those affected by the Project is important to the Panel as it will consider all relevant information received in making its decision.

There are four options for participating in the joint review process:

- submit a letter of comment (see section 7.1);
- make an oral statement (see section 7.2);
- become an Intervenor (see section 7.3); or
- become a Government Participant – federal, provincial, territorial or municipal government bodies (see section 7.3).

As a reference guide, this Hearing Order can help individuals understand the joint review process. The List of Issues for the Panel's review of the Project is in Appendix I. Throughout this document you will find details on key process steps including information about both community hearings and final hearings. A detailed timeline is in Appendix II.

Local information sessions will be held to help individuals learn more about the joint review process (see section 5). A Process Advisory Team is available to provide additional assistance at any time during the joint review process (see section 6).

1 The Northern Gateway Application

On 27 May 2010, Northern Gateway Pipelines Inc. (Northern Gateway) applied to the National Energy Board (Board) for authorization to construct and operate:

1. an oil export pipeline and associated facilities;
2. a condensate import pipeline and associated facilities; and
3. a tank terminal and marine terminal (the Kitimat Terminal) to be located near Kitimat, British Columbia (BC).

These proposed facilities are collectively known as the Project.

Northern Gateway has applied for:

- a Certificate of Public Convenience and Necessity pursuant to Section 52 of the *National Energy Board Act* (NEB Act), authorizing the construction and operation of the oil pipeline and associated facilities, including tankage and terminal at Kitimat, BC;
- a Certificate of Public Convenience and Necessity pursuant to Section 52 of the NEB Act, authorizing the construction and operation of the condensate pipeline and associated facilities, including tankage and terminal at Kitimat, BC; and
- an Order pursuant to Part IV of the NEB Act approving the toll principles applicable to service on each of the oil and condensate pipelines, including tankage and terminal at Kitimat, BC.

2 Public Viewing of the Application

As Northern Gateway has electronically filed (e-filed) its application, it is available for viewing on the Panel's website[1] at www.gatewaypanel.review.gc.ca. During normal business hours, a hardcopy of the application is available for public viewing at locations listed in Appendix III.

3 Joint Review Process Overview

The Project is subject to the requirements of the *Canadian Environmental Assessment Act* (CEA Act) because it requires permits from Fisheries and Oceans Canada, Transport Canada and Indian and Northern Affairs Canada as well as from the Board. The Minister of the Environment has agreed with the Board, under paragraph 40(2)(a) of the CEA Act, to jointly establish the Panel.

The Panel's website contains information about the Panel, the joint review process, and anything new about the process. Go to www.gatewaypanel.review.gc.ca

The members of the Panel are also members of the Board and will assess and review the Project under both the NEB Act and the CEA Act. Under the CEA Act, the Panel will conduct an environmental assessment of the Project and make recommendations to the Minister of the Environment. The Panel will also decide upon the NEB Act applications for the Project, which will include determining if the Project is in the public interest. The scope of these assessments is outlined in the List of Issues provided in Appendix I.

The Panel has established a joint review process that is comprised of a number of steps. Figure 1 depicts the steps in the joint review process.

1 click on "Public Registry" in the left hand menu, then "public registry" in the text box and then "B - Northern Gateway Pipeline Inc., as General Partner of Northern Gateway Pipelines Limited Partnership" for the Northern Gateway application

	June 2011		July 2011		Aug 2011		Sept 2011		Oct 2011		Nov 2011		Dec 2011		Jan 2012		Feb 2012		Mar 2012		Apr 2012		May 2012		Jun 2012		July 2012		
Hearings															COMMUNITY HEARINGS												FINAL HEARINGS			
Letter of Comment	LETTER OF COMMENT																													
Oral Statement									Registration Deadline						ORAL STATEMENT															
Intervenor			Registration Deadline			IRs to Applicant					IRs to Applicant			Written Evidence	ORAL EVIDENCE						IRs to Intervenors / GP*				Response to IRs Request to question on GP*			Hearing Questions / Response / Final Argument			
Government Participant (GP*)			Registration Deadline			IRs to Applicant					IRs to Applicant			Written Evidence							IRs to Intervenors / GP*				Response to IRs	Comments on Request		Hearing Questions / Response / Final Argument			
Applicant	Additional Evidence						Response to IRs					Response to IRs									IRs to Intervenors / GP*				Request to question on GP*	Reply Evidence		Hearing Questions / Response / Final Argument			

* GP - Government Participant

28 April 2011

The deadlines for each step of the joint review process are identified within the various sections of this Hearing Order, and are summarized in Appendix II. Information on how you can participate in the joint review process is provided in section 7.

4 Fairness and Efficiency

The Panel requires fairness and encourages efficiency in its proceeding and asks that all participants observe the deadlines set out in this Hearing Order and any other deadlines set by the Panel. The deadlines for this joint review process have been established in order to provide certainty to all participants.

The Panel encourages participants to use electronic submissions, fax or courier so that documents are received on time.

A participant proposing to submit a document late must obtain Panel approval. The Panel will decide whether to grant approval by considering:

(i) how the proposed Project will impact the participant;
(ii) the reason why the deadline was not met;
(iii) whether the submission is likely to assist the Panel;
(iv) whether similar submissions have been, or could be, made by others;
(v) how other parties could be disadvantaged as a result of the late submission; and
(vi) any other relevant considerations.

A participant proposing to submit a document late must obtain Panel approval.

5 Information Sessions

The Panel Secretariat will hold information sessions for the public and Aboriginal groups in various locations from **6 June 2011 to 15 July 2011**. These information sessions will provide you with information and guidance on the joint review process and how to participate in it. The Panel members will not be present and the Panel Secretariat will not receive comments or evidence about the Project at the information sessions. This Hearing Order sets out how participants can provide comments and evidence to the Panel.

Information sessions for the public and Aboriginal groups will be held in various locations from 6 June 2011 to 15 July 2011.

Information sessions will be held in a number of locations including:

- Bruderheim, AB
- Grande Prairie, AB
- Whitecourt, AB
- Bella Bella, BC
- Burns Lake, BC
- Hartley Bay, BC
- Kitimat, BC
- Kitkatla, BC
- Klemtu, BC
- Prince George, BC
- Prince Rupert, BC
- Queen Charlotte City, BC
- Smithers, BC
- Tumbler Ridge, BC
- Vanderhoof, BC

In selecting these locations, the Panel took into consideration the invitations and feedback received during the Panel Sessions.

Further details on these information sessions, including the exact dates, times and venues will be announced and advertised at a later date. If you would like to receive this information and future updates from the Panel, please sign up for email updates at Gateway.Review@ceaa-acee.gc.ca.

6 Process Advisory Team

The Panel has set up a Process Advisory Team to help you better understand and participate in the joint review process. Members of the Process Advisory Team will be available to assist participants throughout the joint review process. You can contact the Process Advisory Team:

The Process Advisory Team is available to answer questions and help you in understanding the joint review process and your participation options.
Email: ProcessAdvisoryTeam@ceaa-acee.gc.ca.
Toll-free: 1-866-582-1884

- by email at GatewayProcessAdvisor@ceaa-acee.gc.ca;
- by telephone toll free at 1-866-582-1884; or by fax at 613-957-0941 or toll free fax at 1-877-288-8803.

7 How to Participate

There are four options for participating in the joint review process. You can:

1. submit a letter of comment;
2. make an oral statement;
3. become an Intervenor; or
4. become a Government Participant – federal, provincial, territorial or municipal government bodies.

Each option has a different type of involvement in the joint review process. Note that the term “Parties” in this process means Intervenors, Government Participants, and Northern Gateway. The Parties also have special privileges and responsibilities that the others participants do not.

These participation options are explained more fully below, including deadlines for the steps in the joint review process.

7.1 Letter of Comment

The Panel will consider the oral and written comments received during the three Panel sessions held in August and September of 2010. There is no need to re-submit these comments to the Panel or send them to other Parties to the process.

If you wish to provide written comments to the Panel, you may do so by submitting a letter of comment. It allows you to provide the Panel with your knowledge, views or concerns on the proposed Project. It should describe the nature of your interest in the Project and provide any relevant information that explains or supports your comments. Your letter of comment must include your name, full mailing address, phone number, and the name of your organization if you are representing one.

To submit your letter of comment, you can:

1. use the form on the Panel website[2] at www.gatewaypanel.review.gc.ca;
2. send it by fax to the number indicated below; or
3. mail it to the address indicated below.

*A **letter of comment** is a way of providing your knowledge and views on the Project to the Panel.*

Mail or fax letters to:

Secretary to the Joint Review Panel
Enbridge Northern Gateway Project
444 Seventh Avenue S.W.
Calgary, Alberta T2P 0X8
Fax: 403-292-5503 or toll free fax at 1-877-288-8803

You must submit your letter of comment to the Panel and send it to Northern Gateway and its counsel on or before **13 March 2012**. The letter can be sent to Northern Gateway using the contact information in section 9.3. Letters of comment will be posted on the Panel's website under the public registry, or available on request made to Louise Niro, Regulatory Officer at 403-299-3987 in Calgary or by calling toll free at 1-800-899-1265 and specifying the Enbridge Northern Gateway Project.

If you choose to only submit a letter of comment, you are not considered an Intervenor. This means you will not receive a copy of the application, and will not be allowed to ask written or oral questions, or to submit final argument. However, you may still follow the joint review process by viewing information in the public registry, listening to the community and final hearings over the Internet, or attending the hearings as an observer.

Letter of Comment submission deadline: 13 March 2012

2 Go to www.gatewaypanel.review.gc.ca and under the "Public Registry" heading, click "Submit documents electronically" – then click "Letter of comment"

7.2 Oral Statement

An oral statement is a way for you to provide the Panel with your knowledge, views or concerns on the proposed Project in person during the community hearings. Your oral statement should describe the nature of your interest in the application and provide any relevant information that explains or supports your statement. You will present your oral statement during one of the community hearings (section 8.6), and can use notes to help you. At the time you give your oral statement you will be sworn or affirmed and asked to confirm that the content of your statement is accurate to the best of your knowledge.

Oral statements should be no longer than 10 minutes.

As guidance, the Panel does not expect oral statements to be longer than 10 minutes.

If you are interested in making an oral statement, you need to register using one of the following methods:

1. by telephone at 1-855-202-4559;
2. the oral statement form included in Appendix IV;
3. a letter which includes the information requested in Appendix IV; or
4. through the Panel website[3] at: www.gatewaypanel.review.gc.ca.

*An **oral statement** allows you to provide the Panel with your knowledge and views on the Project in person during the community hearings.*

The registration deadline for anyone interested in making an oral statement to the Panel during the community hearings is **6 October 2011**. You also need to send a copy of your completed registration form to Northern Gateway and its counsel by this deadline (see section 9.3).

Immediately after giving your oral statement, the Panel and, with Panel permission, Northern Gateway and other Parties may ask you questions to seek clarification about the information you provided.

If you choose to make an oral statement, you are not considered an Intervenor. This means you will not receive a copy of the application, and will not be allowed to ask written or oral questions, or be allowed to submit final argument. However, you may still follow the joint review process by viewing information in the public registry, listening to the community and final hearings over the Internet, or attending the hearings as an observer.

Oral Statement registration deadline: 6 October 2011

3 Go to www.gatewaypanel.review.gc.ca and under the “Public Registry” heading, click “Submit documents electronically” – then click “Oral statement”

7.3 Intervenor and Government Participant Status

Intervenors and Government Participants are generally involved in all the same steps of the process, however, there are some differences. A Government Participant has some restrictions placed on the amount of involvement in certain steps. These restrictions are described in the sections below.

7.3.1 Intervenor

Intervenor status allows you to:

- submit written questions, known as information requests;
- submit evidence in written format, or **with prior approval of the Panel**, orally during the community hearings;
- question other Intervenors and Northern Gateway orally at the final hearings;
- receive all documents submitted in the joint review process including notices of motion and related materials;
- participate in notices of motion submitted; and
- submit final argument.

Evidence refers to reports, statements, photographs and other material or information that supports the view that you are presenting.

If you submit evidence as an Intervenor, either oral or written, Intervenor status requires you to respond in writing to written information requests about your evidence directed to you and answer oral questions about your evidence at the final hearings.

An information request is a written question to another Party asking for additional information about or clarification of evidence already submitted.

While Intervenor status allows you to fully participate in the joint review process, you can also register to become an Intervenor if you only wish to receive copies of all submissions and evidence relating to the joint review process.

As an Intervenor, if you wish to give your evidence orally rather than in writing (for example oral evidence by Aboriginal elders), you will need to notify the Panel in advance of the community hearings and receive the Panel's approval (refer to section 8.6). The Panel, Northern Gateway or other Intervenors may question you on your evidence, during the final hearings. This means that if other Intervenors, Northern Gateway or the Panel have questions on your evidence, you must be prepared to attend the final hearings to be

The Panel does not expect that an Intervenor would be provided more than three hours for the presentation of their oral evidence.

questioned. At the time you give your oral evidence you will be sworn or affirmed and asked to confirm that the content of your evidence is accurate to the best of your knowledge.

7.3.2 Government Participants

This role is an option for government organizations at the federal, provincial, territorial and municipal levels. The Government Participant option gives these government organizations the opportunity to participate without becoming Intervenors. Government organizations may choose any of the participation methods outlined in this Hearing Order.

Government Participant status allows you to:

- submit information requests to Northern Gateway;
- ask information requests of other Intervenors or Government Participants **with prior approval of the Panel**;
- submit evidence in written format;
- question Northern Gateway orally at the final hearings;
- question other Intervenors orally at the final hearings **with prior approval of the Panel**;
- receive all documents submitted in the joint review process, including notices of motion and related materials;
- participate in processes for notices of motion submitted; and
- submit final argument.

Government Participant status requires you to respond in writing to written information requests and answer oral questions during the final hearings (if Parties receive prior Panel approval to ask oral questions).

7.3.3 How to Register for Intervenor or Government Participant Status

Those interested in becoming Intervenors and government organizations interested in becoming Government Participants must register with the Panel for "Intervenor status" or "Government Participant status" using:

- the form included in Appendix IV;
- a letter which includes the information requested in Appendix IV; or
- the Panel's website[4] at: www.gatewaypanel.review.gc.ca.

Intervenor and Government Participant registration deadline: 14 July 2011

All registrations for Intervenor and Government Participant status must be received by **14 July 2011**.
A copy of your registration must also be sent to Northern Gateway and its counsel immediately after the List of Parties is issued (see section 8.2). The Panel, at its discretion, may accept late registrations and submissions (see section 4). However, you are encouraged to register as soon as

4 Go to www.gatewaypanel.review.gc.ca and under the "Public Registry" heading, click "Submit documents electronically" – then click "Intervenor" or "Government Participant "

possible, as you will only be entitled to participate after you have registered and will be subject to the published deadlines.

If you become an Intervenor or Government Participant, you may, at any time in the process choose to withdraw as Intervenor or Government Participant by providing written notice to the Panel. You may then provide your comments using one of the other methods of participation providing the deadline for submission has not already passed. However, if you have submitted written or oral evidence you must be available to be questioned. If you are not available to be questioned, the Panel could order that the evidence be removed from the public registry. The Panel will not consider evidence that is removed from the public registry.

The public registry can be accessed from the Panel's website at www.gatewaypanel.revew.gc.ca, and following the links to "public registry".

Receiving a copy of the application or this Hearing Order does not automatically make you an Intervenor or Government Participant. Any person or government organization wishing to be an Intervenor or a Government Participant must submit a registration containing the information in the form contained in Appendix IV.

8 Steps in the Process

The following outlines the key steps of the joint review process that occur once you have submitted your registration form. This section includes deadlines for the submission of various documents. The process for submitting documents is described in section 9. Appendix II is a schedule listing the deadlines for submitting and sending documents and the Party responsible for the submission.

8.1 Additional Written Evidence from Northern Gateway

Northern Gateway must submit any additional evidence to supplement its application with the Panel by **9 June 2011**. This is not the additional information required in the 19 January 2011 Panel Results and Decision document that has already been received. It is any other evidence that Northern Gateway wishes to submit regarding the Project. Northern Gateway must send a copy of this additional evidence to all other Parties **immediately after receiving the List of Parties.**

8.2 Registration of Parties and List of Parties

Those wishing to become Intervenors or Government Participants must register by **14 July 2011**.

Shortly after the deadline for registration as an Intervenor or Government Participant, the Panel will issue a List of Parties (which consists of Northern Gateway, Intervenors, and Government Participants). The Panel will send the List of Parties to all Parties. The List of Parties will also be available on the Panel's website.

If a Party's contact information changes, that Party must inform the Panel of the new contact information.

8.3 Information Requests to Northern Gateway

If you are an Intervenor or Government Participant and have questions regarding the Project application, you can ask your questions to Northern Gateway in writing as information requests during the times specified below. All information requests must be sent to Northern Gateway and its counsel, and a copy must be submitted to the Panel and a copy sent to all Parties.

Northern Gateway must submit its responses to the information requests to the Panel and send a copy to all Parties.

There will be two rounds of information requests to Northern Gateway beginning shortly after the List of Parties is issued. The first round of information requests to Northern Gateway will close on **25 August 2011**. Northern Gateway must provide its responses by **6 October 2011**. The second round of information requests to Northern Gateway will close on **3 November 2011**, with the deadline for Northern Gateway to respond on **24 November 2011**. You can send in several sets of information requests during each round as long as they are received prior to the stated deadlines.

8.4 Registration Deadline for Presenting at the Community Hearings

The deadline for Intervenors applying for permission to give oral evidence at the community hearings is **6 October 2011**, if you have not already done so in your registration for Intervenor status. This is also the deadline for registrations to make an oral statement.

8.5 Evidence Submissions from Intervenors and Government Participants

Intervenors and Government Participants must submit to the Panel any written evidence they wish the Panel to consider and must send a copy to all other Parties. The deadline to submit this evidence is the **22 December 2011**.

The Panel may allow Intervenors to provide some of their evidence orally during the community hearings (for example, oral evidence by Aboriginal elders). Further details on this option are outlined in section 8.6.

Intervenors and Government Participants may submit written evidence for the Panel to consider. The deadline for submitting evidence is 22 December 2011.

8.6 Community Hearings

The joint review process will include two sets of hearings. The community hearings will be the first set of hearings and have two purposes, the first being to hear oral statements described in section 7.2 above.

The second purpose of the community hearings is to allow Intervenors to give a portion of their evidence orally. The Panel anticipates that Parties will provide most of their evidence in writing. Generally, the Panel will allow oral evidence where:

- it consists of oral traditional evidence or evidence that cannot be provided in writing, and
- it can be presented within three hours or less, unless advanced notice is given to the Panel.

Intervenors wishing to present evidence orally must request permission from the Panel at the time of registration. Requests to give evidence orally must include the following:

1. reason for the request including why the evidence cannot be provided in writing;
2. expected duration of the presentation;
3. an overview of the evidence proposed to be provided orally; and
4. names of the individuals expected to present to the Panel.

Written documents (e.g. reports) should be submitted as written evidence and not read as oral evidence.

Community Hearings will be held in locations along the proposed pipeline route and in the vicinity of the marine terminals, as well as Vancouver and Port Hardy, BC. The full list of locations will be announced at a later date.

Active participation in the community hearings is restricted to the registered participants. However, you are welcome to attend and observe the community hearings or you may listen to the community hearings over the Internet by logging on to the Panel's website at www.gatewaypanel.review.gc.ca and following the instructions under "Hearings".

8.7 Information Requests to other Parties

Northern Gateway, Intervenors and the Panel may ask information requests on the evidence submitted by other Intervenors and Government Participants. Information requests must be sent to the Intervenor or Government Participant who is being asked for the information, and a copy submitted to the Panel. Permission from the Panel is required for Government Participants to send information requests to Parties other than Northern Gateway.

This information request process will begin shortly after the end of the community hearings. The deadline for information requests to the Intervenors and Government Participants is **20 March 2012**. Intervenors and Government Participants must provide their responses by **15 May 2012**. Intervenors and Government Participants must submit their responses to information requests to the Panel and send a copy to all Parties.

8.8 Northern Gateway Reply Evidence

Northern Gateway may submit additional evidence in reply to the evidence and response to information requests provided by Intervenors and Government Participants. This reply evidence must be submitted to the Panel and a copy sent to all Parties. The deadline for Northern Gateway to submit reply evidence is **29 May 2012**.

8.9 Final Hearings

The final hearings will be held in two parts:

(i) oral questioning of the evidence, and
(ii) final argument.

The final hearings allow the Parties to ask oral questions about the evidence that has been submitted during the joint review process. New evidence may not be presented during the final hearings.

During the first part of the final hearings, Parties may ask oral questions about the evidence that has been submitted by other Parties during the joint review process. Parties may not present new evidence during the final hearings except in response to oral questions.

The purpose of oral questions is to allow the Panel and Parties to "test" the evidence submitted. Parties will not be permitted to ask oral questions of another Party for the purpose of propping up evidence with which they both agree. This evidence generally does not assist the Panel.

Northern Gateway and Intervenors must receive approval from the Panel to question a Government Participant orally during the final hearings. A request to question a Government Participant must indicate:

- the nature of the questions;
- the relevance of the questions to the proceeding; and
- why fairness requires the questions.

Final argument is an opportunity for the Parties to summarize their evidence, explain their position on the conclusions about the Project that they would like the Panel to make, and make recommendations to the Panel.

The request must be submitted to the Panel with a copy sent to all Parties by **15 May 2012**. A Government Participant may submit to the Panel a response to a request to be questioned and send a copy to all Parties by **29 May 2012**.

The Party requesting the right to question the Government Participant may submit to the Panel a reply to the response of the Government Participant and send a copy to all Parties by **12 June 2012**. The Panel will consider the request and give its decision.

Government Participants must also receive approval from the Panel to orally question any other Party. The request must include the same information and follow the same timeline as described above for Intervenors and Northern Gateway.

During the second part of the final hearings, Parties may provide final argument. Final argument is an opportunity for Parties to summarize their evidence, explain their position on the conclusions they would like the Panel to make about the Project; and make recommendations to the Panel.

The final hearings may be held in fewer locations than the community hearings. The locations and dates for these hearings will be announced at a later date.

Active participation in the final hearings is restricted to the Parties. However, you are welcome to attend and observe the final hearings, or you may listen to the final hearings over the Internet by logging on to the Panel's website at www.gatewaypanel.review.gc.ca and following the instructions under "Hearings."

9 Submitting Documents

When this Hearing Order requires the submission of documents by certain deadlines, the documents are only considered to meet the deadline when the intended person receives them. **The intended recipient must receive the documents by noon, Mountain Time, on the date of the deadline**. If you need help to submit your document, please contact Louise Niro, Regulatory Officer, at 403-299-3987 in Calgary or by calling toll free at 1-800-899-1265 and specify that you are calling about the Enbridge Northern Gateway Project.

Parties who have the ability to submit documents electronically are expected to submit documents to the public registry through the Panel's website[5].

9.1 Electronic Submission Process

The sender of e-mails cannot always be verified and for that reason e-mails are not considered electronic submissions and are not accepted. If you are submitting a document other than a letter of comment or registration form (see section 9.3) electronically:

- ensure the document references **Hearing Order OH-4-2011** and **File No. OF-Fac-Oil-N304-2010-01 01;**
- address the document(s) to the proper Party. (For example, if it is directed to the Panel (e.g. evidence), address the document(s) to the Secretary to the Joint Review Panel. If it is addressed to another Party (e.g. information request), address the document(s) to that Party);
- number pages consecutively, including blank pages, starting with the title page as page 1;
- sign the document(s);

5 Go to www.gatewaypanel.review.gc.ca and under the "Public Registry" heading, click "Submit documents electronically"

- follow the website instructions for submitting a document electronically. For more information about electronic submissions, please refer to the "Filers Guide to Electronic Submission." This document is available on the Panel's website at www.gatewaypanel.review.gc.ca[6]. The Panel's website will contain the full text of documents submitted electronically using the procedures outlined above;
- print the e-mail you receive containing a submission receipt;
- send **one** hard copy of the electronically submitted document(s) and **one** hard copy of the signed submission receipt to the Panel by hand delivery, mail, courier or fax the submission to the following:

  Secretary to the Joint Review Panel
  Enbridge Northern Gateway Project
  444 - Seventh Avenue S.W.
  Calgary, Alberta T2P 0X8
  Fax: 403-292-5503 or toll free fax at 1-877-288-8803

- send an **e-mail notification** of your submitted documents to all Parties on the List of Parties identified as having the ability to access documents in the public registry through the Panel's website. Parties who have the ability to access documents through the website must accept a notification that a document is in the public registry rather than requiring the Party submitting the document to send it to them[7];
- send **one** hard copy of any submitted document(s) to Parties on the List of Parties identified as **not** having the ability to access documents in the public registry through the Panel's website;
- if it is **less than 5 days before the start of the hearing**, place enough hard copies of your submitted document(s) for use by other Parties in the designated location in the hearing room; or
- if the **hearing has started** and you intend to submit new documents not previously sent to the Panel, you must provide **six** hard copies of your document(s) to the Panel's Regulatory Officer and **ten** hard copies to Panel Counsel and place enough hard copies for use by other Parties in the designated location in the hearing room.

9.2 Submission Process if you cannot Submit Documents Electronically

The Panel expects Parties who have the ability to submit documents electronically to do so. If you **cannot** submit documents electronically the process below must be followed, with the exception of letters of comment and registration forms. Please see Section 9.3 for guidance relating to the submission of those documents.

- ensure each documents refers to **Hearing Order OH-4-2011** and **File No. OF-Fac-Oil-N304-2010-01 01;**
- number pages consecutively, including blank pages, starting with the title page as page 1;
- sign each document;

6 Go to www.gatewaypanel.review.gc.ca and under the "Public Registry" heading, click "Submit documents electronically" then under the heading "submitting electronically" click on "Filer's Guide to Electronic Submission".

7 Go to www.gatewaypanel.review.gc.ca and under the "Public Registry" heading, click "public registry"

- hand deliver, mail, or courier **three** copies or fax **one** copy of each document to the following address/fax number:

  Secretary to the Joint Review Panel
  Enbridge Northern Gateway Project
  444 - Seventh Avenue S.W.
  Calgary, Alberta T2P 0X8
  Fax: 403-292-5503 or toll free fax at 1-877-288-8803

- send **one** hard copy of each submitted document to Parties on the List of Parties identified as not having the ability to access documents in the public registry through the Panel's website;
- the Panel Secretariat will assist by attempting to scan the submitted documents into the public registry.
  - If the document can be successfully scanned, then the Panel Secretariat will send an email notification to Parties; or
  - Where it is not possible for the Panel Secretariat to scan the document, you must send **one** copy to all the Parties on the List of Parties that identified they can receive electronic submissions. The Panel Secretariat will create an electronic placeholder. This placeholder indicates that a document has been submitted in hard copy (and is available in the National Energy Board's library) but it will not be possible to view or search these documents through the public registry on the Panel's website;
- if it is **less than 5 days before the start of the hearing**, place enough hard copies of each submitted document for use by other Parties in the designated location in the hearing room; and
- if the **hearing has started** and you intend to submit new documents not previously sent to the Panel, you must provide **six** hard copies of each document to the Panel's Regulatory Officer and **ten** hard copies to Panel Counsel and place enough copies for use by other Parties in the designated location in the hearing room.

9.3 Submission Process for Letters of Comment, and Registration Forms for Participation

If you are submitting a letter of comment, a registration to make an oral statement, a registration for Intervenor status or registration for Government Participant status to the Panel, you must:

- E-file your letter or form as explained in section 7; or
- hand deliver, mail, courier **or** fax **one** hard copy of your submission to the Panel at the following address or fax number:

  Secretary to the Joint Review Panel
  Enbridge Northern Gateway Project
  444 - Seventh Avenue S.W.
  Calgary, Alberta T2P 0X8
  Fax: 403-292-5503 or toll free fax at 1-877-288-8803

- **and** hand deliver, mail, courier **or** fax **one** hard copy of your submission to Northern Gateway and its counsel to **each** of the following addresses or fax numbers:

Kenneth MacDonald
VP, Law and Regulatory Affairs
Northern Gateway Pipelines Inc.
30th Floor, 425 – 1st Street SW
Calgary, Alberta T2P 3L8
Fax: 403-718-3525
kenneth.macdonald@enbridge.com

Abby Dorval
Manager, Regulatory Affairs
Northern Gateway Pipelines Inc.
30th Floor, 425 – 1st Street SW
Calgary, Alberta T2P 3L8
Fax: 403-231-7380
abby.dorval@enbridge.com

Richard Neufeld, Q.C.
Barrister & Solicitor
Fraser Milner Casgrain
15th Floor, 850 – 2nd Street SW
Calgary, Alberta T2P 0R8
Fax: 403-268-3100
richard.neufeld@fmc-law.com

These documents will be available on the public registry, through the Panel's website.

9.4 Copies of Application

Northern Gateway must send an electronic or hard copy of its application and related materials to each Intervenor who requests a copy.

9.5 Confidential Information

Parties may request that the Panel keep written and oral submissions of evidence confidential, pursuant to Sections 16.1 or 16.2 of the NEB Act. Requests will be considered by the Panel on a case-by-case basis.

Requests for confidentiality must be submitted to the Panel at least 30 days in advance of the date that the Party intends to submit the evidence to the Panel.

9.6 References to Websites

If you are making a reference to information on a website in a document to be submitted to the Panel, please ensure that:

(a) a direct link to the website is inserted, or a reference that is sufficient to allow any person accessing the website to know the exact information which is being referenced;
(b) the website does not require a password or subscription in order to access the information; and

(c) a hard copy of all of the information being referenced on the website is submitted to the Panel. You can hand deliver, mail, courier or fax one hardcopy to the Panel at the following address or fax number:

Secretary to the Joint Review Panel
Enbridge Northern Gateway Project
444 - Seventh Avenue S.W.
Calgary, Alberta T2P 0X8
Fax: 403-292-5503 or toll free fax at 1-877-288-8803

10 Motions

Any person wishing to raise a question of procedure or substance that requires a Panel decision before the final hearings start must submit a motion with the Panel. The motion should be submitted using the document titled "Notice of Motion" (provided in Appendix V) and be separate from other correspondence.

Section 35 of the *National Energy Board Rules of Practice and Procedure, 1995* provides direction for submitting motions. The motions must set out:

- a statement of the facts;
- the grounds for the request;
- the decision or relief requested; and
- the evidence supporting the request.

If case law is being relied on, a case book must be submitted and the specific passages of the cases being relied on must be highlighted or side-barred. The person raising a motion must submit a copy to the Panel and send a copy to all Parties.

11 Interpretation

Parties must indicate the language they wish to use during the hearings. If both English and French will be used during the hearings, the Panel will provide simultaneous interpretation.

Participants who wish to make oral presentations to the Panel in a language other than English or French, such as an Aboriginal language, must identify an interpreter and contact Louise Niro, Regulatory Officer at 403-299-3987 or toll free at 1-800-899-1265. Please specify the Enbridge Northern Gateway Project and that you would like to make arrangements to provide interpretation of the presentation into English or French. It is preferable if the interpreter can provide simultaneous interpretation into English or French, but consecutive interpretation may be accepted. The English interpretation will be transcribed and used as the evidentiary record for the joint review process.

12 Transcripts

All hearings will be recorded and transcribed daily. Transcripts will be available through the Panel's website site at www.gatewaypanel.review.gc.ca.[8]

One hard copy of the daily transcript will be provided at no cost, except for the cost of delivery, to any Party who requests one. All costs of any subsequent copies are the responsibility of the requesting Party. You can also order transcripts directly from International Reporting Inc. in the following ways:

- at the hearing;
- by e-mailing bprouse@irri.net; or
- by calling 1-800-899-0006.

13 Live Broadcasts

The hearing will be broadcast live (in English and French) over the Panel's website. If you wish to listen to the live hearing feed, you can log on to the Panel's website site at www.gatewaypanel.review.gc.ca [9].

14 Further Information

If you have questions or difficulties submitting documents to the public registry through the Panel's website, or questions about interpretation, please contact Louise Niro, Regulatory Officer, at 403-299-3987 in Calgary or by calling toll free at 1-800-899-1265 and specifying the Enbridge Northern Gateway Project. The Hearing Order may also be accessed through the Panel's website at www.gatewaypanel.review.gc.ca (under the "Documents" heading click on "Hearing Order").

If you have other questions about the joint review process, contact the Process Advisory Team at

- (phone) 1-866-582-1884;
- (fax) 613-957-0941;
- (toll free fax) 1-877-288-8803; or
- (e-mail) GatewayProcessAdvisor@ceaa-acee.gc.ca

ENBRIDGE NORTHERN GATEWAY PROJECT JOINT REVIEW PANEL



Anne-Marie Erickson
Secretary to the Joint Review Panel

8 Click on "Public Registry" and then "public registry" and click on "Hearing Transcripts".

9 follow instructions under "Hearings".

Appendix I - List of Issues

The Panel's environmental assessment of the Project and related public interest determination will include, but not be limited to, consideration of the following.

Where applicable, all of these issues apply to both the terrestrial and marine components of the Project. Also note that the issues include those to be considered under the *Canadian Environmental Assessment Act* as outlined in Parts I, II and III of the Joint Review Panel Terms of Reference (appended below the List).

Need For the Proposed Project

1 Need for the Project as proposed by the applicant
- 1.1 supply and markets for the oil and condensate to be transported by the Project
- 1.2 commercial support for the Project
- 1.3 economic feasibility of the proposed facilities

Potential Impacts of the Proposed Project

2 Potential impacts on:
- 2.1 Aboriginal interests including:
  - 2.1.1 socio-economic matters listed in Issue 4
  - 2.1.2 asserted and proven Aboriginal rights (including Aboriginal title)
  - 2.1.3 treaty rights
- 2.2 commercial interests
- 2.3 landowners and land use including issues related to:
  - 2.3.1 crossings of the pipeline with vehicles and farm machinery
  - 2.3.2 depth of cover for the pipeline
  - 2.3.3 impacts of the Project on agricultural soils

Environmental Effects

3 Potential effects on the environment including:
- 3.1 protected areas
- 3.2 wildlife and wildlife habitat
- 3.3 fish and fish habitat
- 3.4 atmosphere including greenhouse gas emissions
- 3.5 vegetation
- 3.6 species at risk
- 3.7 marine environment
- 3.8 water, hydrology, and wetlands
- 3.9 soils, terrain and geology
- 3.10 cumulative effects
- 3.11 effects of the environment on the Project, including geohazards

Socio-economic Effects

4 Potential effects on socio- economic matters, including:
- 4.1 human occupancy and resource use
- 4.2 heritage resources
- 4.3 traditional land and resource use
- 4.4 social and cultural well-being
- 4.5 human health
- 4.6 infrastructure and services
- 4.7 employment and economy

Consultation

5 Consultation with the public and Aboriginal groups on the Project

Financial and Tolling Matters

6 Proposed differentiated tolling structure and tolling methodology
7 Proposed method of financing
8 Financial responsibility of the applicant

Routing

9 General route of the pipeline (including the proposed 1 km wide general route corridor) and route selection criteria
10 General location of the proposed facilities and the siting of the marine terminal

Design, Construction and Operation

11 Suitability of the proposed design, construction, operation and abandonment of the facilities recognizing the project risks and challenges
12 Capacity of the applicant to safely build and operate the proposed facilities in the range of physical conditions along the Rocky and Coastal Mountains and at the Kitimat Terminal

Safety, Accident Prevention and Response

13 Risks of potential hydrocarbon releases related to the Project including:
- 13.1 likelihood of failures, accidents and malfunctions
- 13.2 potential release volumes
- 13.3 consequences of any release, including geographical extent

14 Safety measures in place to protect people, communities and the environment
15 Whether the proposed risk assessment, mitigation and prevention measures and programs are appropriate for the design, construction, operation and abandonment of the proposed facilities
16 Proposed plans and measures for emergency preparedness and response
17 Financial resources and other compensation measures available in the event of an accident or malfunction

Follow up and Monitoring
18 Follow up and monitoring plans for the Project

Recommendations, Terms and Conditions
19 Recommendations to be included in the Panel report
20 Terms and conditions to be included in any decision the Panel may issue

Terms of Reference

The definitions in the Agreement between the National Energy Board and the Minister of the Environment concerning the joint review of the Northern Gateway Pipeline Project will apply to this Appendix.

The Panel will conduct a review of the Environmental Effects of the project and the appropriate mitigation measures based on the project description and consideration of the project application under the NEB Act.

The Panel will include in its review of the project, consideration of the factors identified in this Appendix and the scope of the factors.

Part I – Scope of the Project

The project includes the construction, operation, decommissioning and abandonment of the following components:

- An oil pipeline commencing near Fort Saskatchewan, Alberta and terminating at a new marine terminal located in Kitimat, British Columbia;
- A condensate pipeline commencing at a new marine terminal in Kitimat, British Columbia and terminating near Fort Saskatchewan, Alberta;
- The right-of-way for the two pipelines as well as any temporary workspace required for the construction;
- Associated pump stations, a pressure letdown station (oil) and a pressure initiation station (condensate);
- Tunnels through North Hope Peak and Mount Nimbus to facilitate crossing of the Coast Mountains by the pipelines;
- A tank terminal, including hydrocarbon tanks, pump facilities and other land facilities, adjacent to the marine terminal;
- All-weather road access and electrical power requirements for the pump stations, the tank terminal and the new marine terminal in Kitimat, British Columbia;
- Block valves located at pump stations, selected watercourse crossings and other locations along the route;
- Pigging facilities at either end of the pipeline system and in selected intermediate locations;
- Cathodic protection system for the pipelines and tanks, including anode beds at selected locations along the pipeline route;
- Two marine loading and unloading berths (one each for oil and condensate) including: loading and unloading platforms;

  - breasting dolphins;
  - mooring dolphins;
  - gangway tower;
  - walkway bridges between platform and breasting dolphins;
  - utility boat floating dock;
  - oil contingency deployment system with storage platforms;
  - fire fighting systems;
  - offshore anchorages in Kitimat Arm or elsewhere; and
  - pipeline interconnects between the berths and the tankage.
- Marine transportation of oil and condensate within:
  - the Confined Channel Assessment Area, as defined by the proponent, which includes the marine and shoreline area of Kitimat Arm, Douglas Channel to Camano Sound, and Principe Channel to Browning Entrance;
  - Hecate Strait; and
  - the proposed shipping routes to be used for the project that are within the 12 nautical mile limit of the Territorial Sea of Canada.
- All related works and activities including:
  - all temporary electrical power supply lines, such as those supplying energy for camps and worksites;
  - temporary work camps;
  - temporary access roads;
  - bridges and watercourse crossings (new or modified);
  - management and treatment of wastewaters and waste management;
  - water withdrawals;
  - borrow pits and quarries;
  - management of excavation material, including stockpiles (e.g. overburden);
  - log handling and storage facilities
  - construction worksites, storage areas and staging areas;
  - handling and storage of petroleum products and hazardous materials;
  - handling, storage and use of explosives; and
- Any other components described by the proponent in its Preliminary Information Package, filed with the National Energy Board on November 1, 2005

Any additional modifications or decommissioning and abandonment activities would be subject to future examination under the NEB Act and consequently, under the Act, as appropriate. Therefore, at this time, the Proponent will be required to examine these activities in a broad context only.

Part II -Factors to be Considered During the Joint Review

The joint review will include a consideration of the following factors listed in paragraphs 16(1)(a) to (d) and subsection 16(2) of the Act:

- The environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects that are likely to result from the project in combination with other projects or activities that have been or will be carried out;
- The significance of the effects referred to above;
- Comments from the public and Aboriginal peoples that are received during the review;
- Measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the project;
- The purpose of the project;
- Alternative means of carrying out the project, that are technically and economically feasible and the environmental effects of any such alternative means;
- The need for, and the requirements of, any follow-up program in respect of the project; and
- The capacity of renewable resources that is likely to be significantly affected by the project to meet the needs of the present and those of the future.

In accordance with paragraph 16(1)(e) of the Act, the assessment by the Panel will also include a consideration of the following additional matters:

- Need for the project;
- Alternatives to the project;
- Community knowledge and Aboriginal traditional knowledge received during the review;
- Measures to enhance any beneficial environmental effects; and
- Environmental protection, environmental monitoring, and contingency and emergency response plans.

Part III - Scope of Factors

The Panel in conducting its consideration of the factors outlined in Part II will have regard to the following:

- The National Energy Board's *Filing Manual* dated 2004 as amended from time to time; and
- The document issued by the Canadian Environmental Assessment Agency, in response to comments received on the draft Joint Review Panel Agreement, entitled "*Scope of the Factors - Northern Gateway Pipeline Project, August, 2009*".

Appendix II - Timetable of Events

Events	Person Responsible	Hearing Order Reference	Deadline (noon, Mountain time)
Information Sessions	Panel Secretariat	Section 5	6 June 2011
Additional Written Evidence Submitted	Northern Gateway	Section 8.1	9 June 2011
Registration for Intervenor Status	Intervenors	Section 7.3.3 and 8.2	14 July 2011
Registration for Government Participant Status	Government Participant	Section 7.3.3 and 8.2	14 July 2011
List of Parties issued	Panel	Section 8.2	Shortly after 14 July 2011
Intervenor Registration sent to all Parties	Intervenors	Section 7.3.3	Immediately after receiving the List of Parties
Government Participant Registration sent to all Parties	Government Participant	Section 7.3.3	Immediately after receiving the List of Parties
Information Requests to Northern Gateway (Round 1)	Panel, Intervenors and Government Participants	Section 8.3	25 August 2011
Responses to Information Requests (Round 1)	Northern Gateway	Section 8.3	6 October 2011
Registration for Oral statements	Commenters	Section 7.2 and 8.4	6 October 2011
Information Requests to Northern Gateway (Round 2)	Panel, Intervenors and Government Participants	Section 8.3	3 November 2011
Responses to Information Requests (Round 2)	Northern Gateway	Section 8.3	24 November 2011
Deadline for Written Evidence	Intervenors and Government Participants	Section 8.5	22 December 2011

Events	Person Responsible	Hearing Order Reference	Deadline (noon, Mountain time)
Community Hearings	Oral Statement Registrants and Intervenors (oral evidence)	Section 8.6	10 January 2012
Deadline for Submission of Letters of Comment	Commenters	Section 7.1	13 March 2012
Information Requests to the Intervenors and Government Participants	Panel, Northern Gateway and Intervenors	Section 8.7	20 March 2012
Responses to Information Requests to the Intervenors and Government Participants	Intervenors and Government Participants	Section 8.7	15 May 2012
Request to question Government Participants during Final Hearings	Northern Gateway or Intervenors	Section 8.9	15 May 2012
Reply Evidence	Northern Gateway	Section 8.8	29 May 2012
Comments on request to be questioned	Government Participants	Section 8.9	29 May 2012
Reply to comments from Government Participants	Party requesting right to question Government Participants	Section 8.9	12 June 2012
Final Hearings	Panel and all Parties	Section 8.9	26 June 2012

Appendix III - List of Public Viewing Locations

Northern Gateway Pipelines 240 City Centre Kitimat, BC V8C 1T6	Northern Gateway Pipelines 505 Burrard Street Vancouver, BC V7X 1M4
National Energy Board First Floor, 444 - Seventh Avenue S.W. Calgary, AB T2P 0X8	Northern Gateway Pipelines 3000, 425 1st Street SW Calgary, AB T2P 3L8
Town of Bruderheim Bruderheim, AB T0B 0S0	Kitimat Public Library 940 Wakashan Avenue Kitimat, BC V8C 2G3
Morinville Public Library 10119 - 100 Avenue Morinville, AB T8R 1P8	Tumbler Ridge Public Library 340 Front Street Tumbler Ridge, BC V0C 2W0
Mayerthorpe Public Library 4911 – 52 Street Mayerthorpe, AB T0E 1N0	Prince George Public Library Bob Harkins Branch 887 Dominion Street Prince George, BC V2L 5L1
Fox Creek Municipal Library Fox Creek, AB T0H 1P0	Vanderhoof Public Library 230 Stewart Street E. Vanderhoof, BC V0J 3A0
Grande Prairie Public Library 101, 9839 - 103 Avenue Grande Prairie, AB T8V 6M7	Fort St. James Public Library 425 Manson Street Fort St. James, BC V0J 1P0
Stanley A. Milner Library 7 Sir Winston Square Edmonton, AB T5J 2V4	Burns Lake Public Library 585 Government Street Burns Lake, BC V0J 1E0
Strathcona County Library #300, 2020 Sherwood Drive Sherwood Park, AB T8A 5P7	Houston Public Library 3150 14th Street Houston, BC V0J 1Z0
Fort Saskatchewan Public Library 10011 – 102 Street Fort Saskatchewan, AB T8L 2C5	Terrace Public Library 4610 Park Avenue Terrace, BC V8G 1V6
Chetwynd Public Library 5012 - 46th Street P.O. Box 1420 Chetwynd, BC V0C 1J0	Prince Rupert Library 101 6 Avenue W Prince Rupert, BC V8J 1Y9
Gibbons Public Library 4807 50 Avenue Gibbons, AB T0A 1N0	Whitecourt & District Library 49 Street Whitecourt, AB T7S 1N3
The Dawson Creek Municipal Library 1001 McKellar Avenue Dawson Creek, BC V1G 4W7	Fort St. John Public Library 10015 - 100th Avenue Fort St. John, BC V1J 1Y7
Smithers Public Library 3817 Alfred Avenue Smithers, BC V0J 2N0	

Appendix IV - Registration Forms for Participation

Enbridge Northern Gateway Project

Joint Review Panel

Registration to Make an Oral Statement

All information provided on this form will be placed on the public registry for this project.

Hard copy submissions may be made by mail, courier, hand delivery or fax at the address below.

Secretary to the Joint Review Panel
Joint Review Panel - Enbridge Northern Gateway Project
444 Seventh Avenue S.W.
Calgary, Alberta T2P 0X8
Facsimile: 403-292-5503, or toll free at 1-877-288-8803

Date (dd/mm/yyyy):

Hearing Information

Project Name: **Enbridge Northern Gateway Project**	
Hearing Order No: **OH-4-2011**	File Number: **OF-Fac-Oil-N304-2010-01 01**

Your Contact Information

Name *:	Mailing Address *:
Title:	City *:
Organization:	Province *:
Telephone *:	Postal Code *:
Facsimile:	Email:

** indicates a required field*

National Energy Board / Office national de l'énergie — Canada — Canadian Environmental Assessment Agency / Agence canadienne d'évaluation environnementale

Preferred Language

Which language would you like to make your oral statement in?

English ☐ French ☐ **Other ☐ **Please Name:** _____

**I understand that if I wish to make an oral presentation to the Panel in a language other than English or French, such as an Aboriginal language, I must identify an interpreter and contact Louise Niro, Regulatory Officer at 403-299-3987 or toll free at 1-800-899-1265. Please specify the Enbridge Northern Gateway Project and that you would like to make arrangements to provide interpretation of the presentation into English or French. It is preferable if the interpreter can provide simultaneous interpretation into English or French, but consecutive interpretation may be accepted. The English interpretation will be transcribed and used as the evidentiary record for the joint review process.

Documents submitted electronically are available on the Panel's public registry (gatewaypanel.review.gc.ca). If you can access the public registry, the Panel and other Parties in this hearing may send you notification that a document has been submitted and is available in the public registry, instead of sending you a hard copy of the document.

Do you have the capability to access the Panel's public registry? Yes ☐ No ☐

Guidance for oral statement participants:

- An oral statement should normally take no longer than ten minutes.
- You will be asked to confirm that the statements you make are accurate to the best of your knowledge.
- You can use notes to help you in presenting your oral statement to the Panel.
- Any documents that you plan to refer to in your oral statement, such as newspaper, or on-line articles, must be sent to the Panel at least two weeks before you make your oral statement.
- You might be asked questions to help clarify your oral statement.
- You can find more information about oral statements, important deadlines and the hearing process in the Hearing Order at the Panel's website http://gatewaypanel.review.gc.ca.
- If you have other questions, please contact the Process Advisory Team toll free at 1-866-582-1884, or Louise Niro, Regulatory Officer, at 403-299-3987 or toll free 1-800-899-1265.

Enbridge Northern Gateway Project

Joint Review Panel

Registration for Intervenor Status

All information provided on this form will be placed on the public registry for this project.

Hard copy submissions may be made by mail, courier, hand delivery or fax at the address below.

Secretary to the Joint Review Panel
Joint Review Panel - Enbridge Northern Gateway Project
444 Seventh Avenue S.W.
Calgary, Alberta T2P 0X8
Facsimile: 403-292-5503, or toll free at 1-877-288-8803

Date (dd/mm/yyyy):

Hearing Information

Project Name: **Enbridge Northern Gateway Project**	
Hearing Order No: **OH-4-2011**	File Number: **OF-Fac-Oil-N304-2010-01 01**

Intervenor Information

Name *:	Mailing Address *:
Title:	City *:
Organization:	Province *:
Telephone *:	Postal Code *:
Facsimile:	Email:
Address for Courier/Personal Service: (if different from mailing address)	
Address:	Telephone:

** indicates a required field*

Issues and Interests

What topics on the List of Issues are you interested in?			
Do you intend to actively participate during the hearings?	**Yes** ☐	**No** ☐	**Unknown** ☐
Will someone be speaking on your behalf?	**Yes** ☐	**No** ☐	**Unknown** ☐

Representative Information

If you do not have someone speaking on your behalf, please leave blank.

Name *:	Mailing Address *:
Title:	City *:
Organization:	Province *:
Telephone *:	Postal Code *:
Facsimile:	Email:
Address for Courier/Personal Service: (if different from mailing address)	
Address:	Telephone:

** indicates a required field*

Access, Notification and Service

Which official language do you wish to use in correspondence with the Panel and at the hearing?	**English** ☐	**French** ☐
Documents submitted electronically are available on the Panel's public registry (gatewaypanel.review.gc.ca). If you can access the public registry, the Panel and other Parties in this hearing may send you notification that a document has been submitted and is available in the public registry, instead of sending you a hard copy of the document.		
Do you have the capability to access the Panel's registry?	**Yes** ☐	**No** ☐

Participation at the Hearing

Intervenors wishing to give evidence must submit their written evidence with the Panel and send a copy to all Parties by the deadline indicated in the Timetable of Events in the Hearing Order.			
Will you be submitting written evidence?	**Yes** ☐	**No** ☐	**Unknown** ☐
Do you intend to question the Applicant or Intervenors on their evidence?	**Yes** ☐	**No** ☐	**Unknown** ☐
Do you require a paper copy of the daily transcripts? (Note: You may view the transcripts through the Panel's website at gatewaypanel.review.gc.ca)	**Yes** ☐	**No** ☐	**Unknown** ☐
Upon request, the Panel will allow oral evidence where it consists of oral traditional evidence or evidence that cannot be provided in writing, and it can be presented in three hours or less, unless advance notice is given to the Panel. Any written documents should be submitted as written evidence and not read onto the record as oral evidence.			
Do you wish to request permission from the Panel to provide oral evidence?	**Yes** ☐	**No** ☐	**Unknown** ☐

The Panel will decide whether to allow oral evidence after it receives the following information that may be provided now or no later than 6 October 2011.

1) Your reason for making the request:

2) The time expected to give your oral evidence:

3) Overview of the evidence that you propose to provide orally:

4) Identify the individuals who will provide this oral evidence:
(Optional - this information may be provided at a later date if not currently known)

5) Which language would you like to present your oral evidence in?

English ☐ **French** ☐ ****Other** ☐ **Please Name:** _____

** I understand that if I wish to present oral evidence to the Panel in a language other than English or French, such as an Aboriginal language, I must identify an interpreter and contact Louise Niro, Regulatory Officer at 403-299-3987 or toll free at 1-800-899-1265. Please specify the Enbridge Northern Gateway Project and that you would like to make arrangements to provide interpretation of the presentation into English or French. It is preferable if the interpreter can provide simultaneous interpretation into English or French, but consecutive interpretation may be accepted. The English interpretation will be transcribed and used as the evidentiary record for the joint review process.

Enbridge Northern Gateway Project

Joint Review Panel

Registration for Government Participant Status

All information provided on this form will be placed on the public registry for this project.

Hard copy submissions may be made by mail, courier, hand delivery or fax at the address below.

Secretary to the Joint Review Panel
Joint Review Panel - Enbridge Northern Gateway Project
444 Seventh Avenue S.W.
Calgary, Alberta T2P 0X8
Facsimile: 403-292-5503, or toll free at 1-877-288-8803

Date (dd/mm/yyyy):

Hearing Information

Project Name: **Enbridge Northern Gateway Project**	
Hearing Order No: **OH-4-2011**	File Number: **OF-Fac-Oil-N304-2010-01 01**

Government Participant Information

Name *:	Mailing Address *:
Title:	City *:
Organization:	Province *:
Telephone *:	Postal Code *:
Facsimile:	Email:
Address for Courier/Personal Service: (if different from mailing address)	
Address:	Telephone:

** indicates a required field*

Issues and Interests

What topics on the List of Issues are you interested in?			
Do you intend to actively participate during the hearings?	**Yes** ☐	**No** ☐	**Unknown** ☐
Will someone be speaking on your behalf?	**Yes** ☐	**No** ☐	**Unknown** ☐

Representative Information

If you do not have someone speaking on your behalf, please leave blank.

Name *:	Mailing Address *:
Title:	City *:
Organization:	Province *:
Telephone *:	Postal Code *:
Facsimile:	Email:
Address for Courier/Personal Service: (if different from mailing address)	
Address:	Telephone:

** indicates a required field*

Access, Notification and Service

Which official language do you wish to use in correspondence with the Panel and at the hearing?	**English** ☐	**French** ☐
Documents submitted electronically are available on the Panel's public registry (gatewaypanel.review.gc.ca). If you can access the public registry, the Panel and other Parties in this hearing may send you notification that a document has been submitted and is available in the public registry, instead of sending you a hard copy of the document.		
Do you have the capability to access the Panel's registry?	**Yes** ☐	**No** ☐

Participation at the Hearing

Government Participants wishing to give evidence must submit their written evidence with the Panel and send a copy to all Parties by the deadline indicated in the Timetable of Events in the Hearing Order.			
Will you be submitting written evidence?	**Yes** ☐	**No** ☐	**Unknown** ☐

Additional Comments

Appendix V - Notice of Motion

The use of this format is required for all Notice of Motion requests.

Name of person bringing motion: _____

Decision or order requested:_____

_____

_____
Date submitted

_____
Signature

_____
Print Name

Please attach all materials in support of your motion, including the following:

1. Concise statement of relevant facts
2. The grounds for your request (why the Panel should make this decision or order)
3. Detailed description of the decision or order sought
4. Information supporting your request
5. If case law is being relied on, a case book with the specific passages of the cases highlighted or side-barred

Please refer to the *National Energy Board Rules of Practice and Procedure, 1995*, rule 35, for further information.
To submit your motion, please submit this cover page, along with the attachment(s), and serve a copy on all Parties.