



File OF-Fac-Oil-E101-2011-01 01  
29 February 2012

Mr. John D. Goudy  
Scott Petrie LLP  
Counsel for Ontario Pipeline Landowners Association  
200 - 252 Pall Mall Street  
London, ON N6A 5P6  
Facsimile 519-433-7909

Ms. Margaret Vance  
President  
Ontario Pipeline Landowners Association  
885886 Oxford City Rd. 8 R.R. 1  
Bright, ON N0J 1B0  
Facsimile 519-454-4069

Dear Mr. Goudy and Ms. Vance:

**Enbridge Pipelines Inc. (Enbridge) Line 9 Reversal Phase I Project (Project)**  
**Application under section 58 of the *National Energy Board Act* (NEB Act)**  
**Hearing Order OH-005-2011**  
**Request for Reconsideration of Procedural Update No. 2**

The National Energy Board (the Board) is in receipt of the Ontario Pipeline Landowners Association's (OPLA) 28 February 2012 letter requesting that the Board reconsider its oral argument hearing date and timetable set out in the Board's Procedural Update No. 2 for the OH-005-2011 proceeding, issued on 27 February 2012 (the Motion).

In its Motion, OPLA submitted that the timetable set by the Board is unworkable for OPLA and that the oral argument hearing dates scheduled in late May will pose difficulties for agricultural landowners who wish to attend the hearing, due to spring seeding. OPLA also submitted that it applied for participant funding and has had no indication as to whether it will qualify for funding or when it might be informed of a funding decision.

Although the Board's Hearing Order stated that the oral portion of the hearing would likely take place in the fall of 2012, the Board subsequently indicated that it was contemplating an earlier hearing date in Procedural Update No. 1. While the Board tries to accommodate parties' external schedules to the greatest extent possible, it is unfortunately not always able to do so.

Given that the application was filed in August of 2011, and considering the combination of: the Project's relatively low level of complexity when compared to other applications; the anticipated

.../2

amount of material to review; and the expected participation from all Intervenor; the Board is of the view that the process leading up to the oral argument portion of the hearing in May strikes a balance between fairness and efficiency and allows for full, fair and meaningful participation. Fairness must be considered in light of the Intervenor, but must also take into account Enbridge's procedural right to have its application processed in a timely manner.

For these reasons, the Board has decided not to amend the date for the oral argument portion of the hearing.

The Participant Funding Program (PFP) operates at arm's length from the Board. The Board has been advised by PFP staff that successful applicants will be informed of funding awards on or around 15 March 2012. A public announcement of the funding decisions will also be made available on the Board's website.

Through the Board's own information request process, additional evidence on engineering, pipeline integrity and safety will be on the record for the proceeding prior to the deadlines for information requests from Intervenor to Enbridge. However, in consideration of OPLA's request for additional time for information requests from Intervenor to Enbridge, the Board has amended the deadlines for certain procedural steps and has attached the revised timetable as Appendix I to this letter. All deadlines are **noon, Calgary time**, on the dates indicated.

Changes were made to the following deadlines:

<b>Event (and Reference from Procedural Update No. 2)</b>	<b>Person Responsible</b>	<b>Previous Deadline</b>	<b>Revised Deadline (noon, Calgary time)</b>
Information requests to Enbridge (Paragraph 6)	Board, Intervenor	23 March 2012	<b>3 April 2012</b>
Responses to information requests (Paragraph 7)	Enbridge	6 April 2012	<b>11 April 2012</b>
Written evidence of Intervenor (Paragraph 8)	Intervenor	13 April 2012	<b>23 April 2012</b>
File Letters of Comment (Paragraph 9)	Interested persons	13 April 2012	<b>23 April 2012</b>

All other deadlines remain the same.

If you have any questions please contact the Board's Legal Counsel, Jessica Lim, at 403-299-3170 or toll-free 1-800-899-1265.

Yours truly,

A handwritten signature in black ink, appearing to read "L. George".Handwritten initials "for" in black ink, positioned to the left of the typed name.

L. George  
Acting Secretary of the Board

Attachment

cc: All Parties to the OH-005-2011 proceeding

**OH-005-2011**  
**Enbridge Pipelines Inc. (Enbridge)**  
**Line 9 Reversal Phase I Project**  
**Application under section 58 of the *National Energy Board Act***

**Updated Timetable of Events**  
**(revised 29 February 2012)**

<b>Event</b>	<b>Reference from Procedural Update No. 2</b>	<b>Person Responsible</b>	<b>Deadline (noon, Calgary time)</b>
List of Parties and Procedural Update No. 2 issued	n/a	Board	27 February 2012
Interventions served	Paragraph 3	Intervenors	immediately after receiving the List of Parties
Application served on all Intervenors	Paragraph 4	Enbridge	immediately after receiving the List of Parties
Additional written evidence of Enbridge	Paragraph 5	Enbridge	29 February 2012
Information requests to Enbridge	Paragraph 6	Board, Intervenors	3 April 2012
Responses to information requests	Paragraph 7	Enbridge	11 April 2012
Written evidence of Intervenors	Paragraph 8	Intervenors	23 April 2012
File Letters of Comment	Paragraph 9	Interested persons	23 April 2012

<b>Event</b>	<b>Reference from Procedural Update No. 2</b>	<b>Person Responsible</b>	<b>Deadline (noon, Calgary time)</b>
Information requests to Intervenors	Paragraph 10	Board, Enbridge and Intervenors	27 April 2012
Responses to information requests	Paragraph 11	Intervenors	11 May 2012
Request copy of draft Environmental Screening Report (ESR)	Paragraph 15	Interested persons	11 May 2012
File affidavit to swear in evidence	Paragraph 12	Enbridge and Intervenors	22 May 2012
File written final argument	Paragraph 13	Parties wishing to make final argument in writing	22 May 2012
Begin oral argument portion of the hearing	Paragraph 14	Board and all Parties	23 May 2012 start time to be confirmed
Release draft ESR for comment	Paragraph 15	Board	shortly after the oral portion of the hearing
File and serve comments on draft ESR	Paragraph 15	Interested persons	seven days from release of draft ESR
File and serve comments on draft ESR	Paragraph 15	Enbridge	ten days from release of draft ESR