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October 1, 2013

National Energy Board
444 -7 th Ave SW
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Attn: Suchaet Bhardwaj

By Email: PartVIConsultation@neb-one.gc.ca

RE: Proposed Amendments to NEB Toll Information Regulations

The NEB has issued for comment amendments to the *National Energy Board Export and Import Regulatory Framework*, which includes the proposed amendments to the Toll Information Regulations. The Canadian Energy Pipeline Association (CEPA) is pleased to provide the following comments on behalf of its member companies regarding the Toll Information Regulations. Our members transport 97% of Canada's daily natural gas and onshore crude oil production from producing regions to markets throughout Canada and the United States.

CEPA is generally in support of the proposed changes to Clauses 3, 4, 5 and 6 of the Toll Information Regulations, as we believe that annual reporting of financial information will continue to provide adequate performance information to the Board. However, we have several comments related to the specific proposed amendments in Clause 3.1 ("A Company that charges tolls shall, at the end of each month, furnish to the Board information on traffic."). CEPA seeks further clarification of the:

- Board's intent and how the collected information will be used;
- Information on traffic; and
- Reporting timelines.

Board Intent

CEPA member companies are looking for more information on the reasons why the changes are being proposed, how the changes will be applied and how the collected information will be used by the Board. Similarly, shipper sensitive and commercially sensitive information should continue to be protected through appropriate aggregation of information.

Information on Traffic

Clause 3.1 indicates that the Board would like to collect information on traffic. CEPA expects that the information to be collected would be the same as the throughput data that is currently required as part of the Quarterly Surveillance Reports. Provided that the information being collected is the same, CEPA members would be able to submit these monthly throughput reports. However, if these monthly throughput reports will result in the collection of more information than is currently collected, the processes will become significantly more onerous and require a significant increase in resourcing. In which case, it would be our members' preference to have the reporting occur annually

Reporting Timelines

Beyond being monthly, the proposed changes do not include details regarding timing of the throughput report filing. Our member companies have expressed concern that a due date of less than 45 days after month's end would make it difficult to compile, verify and file throughput reports. Generally speaking, it will be difficult to complete this work if delays are much shorter than existing ones.

Closure

In closing, CEPA views these draft amendments to the Toll Information Regulations as generally positive. Throughout our comments, we broadly support changes to Clauses 3, 4, 5 and 6 of the Toll Information Regulations, but feel that both the NEB and the industry could be well served by additional clarity. As such, we thank you for the opportunity to provide this feedback and would be happy to provide the Board with support on any associated updates to the *NEB Filing Manual*.

CEPA and its member companies look forward to continuing the discussion of how best to ensure continued strong responsibility and performance, and to build and confirm the confidence of the Canadian public that their safety and protection of the environment are of paramount importance to our industry.

Yours truly,



Brenda Kenny
President and CEO