

National Energy  
BoardOffice national  
de l'énergieFile OF-Fac-Oil-T260-2013-03 02  
28 July 2015

To: All participants

**Hearing Order OH-001-2014**  
**Trans Mountain Pipeline ULC (Trans Mountain)**  
**Application for the Trans Mountain Expansion Project (Project)**  
**Procedural Direction No. 15 – Oral summary argument: schedule and further logistical details**

**Locations and dates**

As announced in the National Energy Board's (Board's) 4 June 2015 [Procedural Direction No. 12](#), it will hear oral summary argument from Trans Mountain in Calgary, Alberta and from intervenors in Burnaby, British Columbia. Further details are provided in the table below:

	Speaker	
	Trans Mountain <sup>1</sup>	Intervenors
<b>Date</b>	Monday, 24 August 2015	Wednesday, 9 September 2015 – Wednesday, 30 September 2015
<b>Venue</b>	Board hearing room 2 <sup>nd</sup> floor, 517 – 10 <sup>th</sup> Avenue SW Calgary, Alberta	Delta Burnaby Hotel and Conference Centre 2 <sup>nd</sup> floor, 4331 Dominion Street Burnaby, British Columbia
<b>Time</b>	10:00 – 11:30 am Pacific time (11:00 am – 12:30 pm Mountain time)	See Appendix 1 for the full schedule

**Online video and audio broadcasts, and transcripts**

For the first time in its history, the Board will be broadcasting video of each hearing day live over the Internet, via its [website](#). The Board is pleased to be able to use this service as a means of allowing all those interested in the Project the opportunity to view the proceedings in real time, regardless of where they are located.

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<sup>1</sup> Trans Mountain, as the applicant, has the opportunity to provide written reply argument on or before 5 October 2015.

As usual, the Board will also be streaming the live audio of each hearing day.

All video and audio recordings will be easily accessible for future streaming and downloading.

Oral summary argument will also be transcribed daily. Electronic transcripts will be available on the online [public registry](#) for viewing and printing. Anyone can order hard copy transcripts directly from International Reporting Inc. This can be done by emailing [bprouse@irri.net](mailto:bprouse@irri.net), or by calling 1-800-899-0006. However, there may be a fee for this service.

## **Schedule**

### *Development*

In its 12 June 2015 [Procedural Direction No. 13](#), the Board required Trans Mountain and intervenors to notify the Board of their intentions to provide oral summary argument, should they choose to undertake that step, by 23 June 2015. That procedural direction also asked whether intervenors would be speaking by phone or in person, and for them to identify their preferred and alternative time slots. Intervenors had the opportunity to provide any further information for the Board to consider when setting out the schedule.

The Board received notices of intent from Trans Mountain and 76 intervenors. Only those that filed notices of intent will be able to provide oral summary argument.

The attached schedule (Appendix 1) reflects the notices filed and the preferences that were identified within them. The Board was able to assign each intervenor with one of their indicated preferred time slots.

### *Time limits*

In Procedural Direction No. 13, the Board indicated that time limits will be imposed on all speakers, Trans Mountain included, and that these limits would be determined after all notices of intent were received and the number of speakers was known.

The Board has set oral summary argument time limits of 60 minutes for intervenors and 90 minutes for Trans Mountain. These time limits will be strictly enforced.

The time limits reflect that both Trans Mountain and intervenors may file full written argument-in-chief prior to providing oral summary argument. Trans Mountain and intervenors also have an opportunity to respond in writing to each other's final argument after hearing and reading each other's submissions.

When speaking in front of the Panel, intervenors and Trans Mountain should be highlighting key points from their written argument. This may include highlighting previously filed evidence that supports any views taken (although exhibits will not be brought up on screen). The Board encourages intervenors with similar views to work together on common issues and split up discussion of detailed issues during oral summary argument. Wherever possible, intervenors



should consider adopting others' written or oral summary argument with which they agree, without repeating the same detailed information again in their own oral summary argument. Trans Mountain's oral summary argument is also time restricted. Trans Mountain's limit of 90 minutes reflects that it has the overall onus to persuade the Board to recommend that the Project be approved, and the need to respond to more issues raised by intervenors. The Board will hear from intervenors for approximately three weeks in Burnaby.

Please keep in mind that oral summary argument allows you to summarize your views and opinions directly in front of the Panel that is assessing the Project application. Because time limits will be strictly enforced, the Board encourages the use of written argument-in-chief to convey the majority, if not all, of your points ahead of oral summary argument. See [Procedural Direction No. 14](#) for guidance on preparing written argument-in-chief, including a sample template.

#### *Motions and preliminary matters*

At the beginning of each hearing day, the Board will hear preliminary matters from those participants that wish to raise them. These should be limited to matters that have arisen during oral summary argument and not to matters or motions that could have been or can be raised prior to commencing oral summary argument, including matters that could be raised with the Board in writing prior to the oral hearings.

#### **Remote participation**

Where intervenors indicated that they would like to provide their oral summary argument by telephone, this is noted next to their names in the schedule. Board staff will communicate the necessary call-in details with these intervenors sufficiently in advance of their oral summary argument.

#### **Attendance limitations**

The Board is looking forward to hearing from Trans Mountain and those intervenors that have signed up to provide oral summary argument. The Board wishes to limit potential distractions and to provide a fair, efficient and safe opportunity for all participants that will be providing oral summary argument in front of the Panel members. In line with these goals, and considering the past history of disruptions and the publically available information regarding occurrences of civil disobedience associated with the Project, the Board has decided to limit access to the hearing rooms in both Burnaby and Calgary to intervenors, Trans Mountain, and accredited media. As stated above, the general public will have access to live video and audio broadcasts of the hearing sessions, as well as daily transcripts, in addition to any media reporting.

The process will be as follows for **intervenor** and **Trans Mountain** representatives wanting to attend oral summary argument in person:

1. Intervenors and Trans Mountain may each have two representatives in the hearing room when the hearing is in session, regardless of whether they are speaking that day or simply watching the hearing.
2. The specific individuals attending on behalf of each intervenor or Trans Mountain may change from day to day, however, their names **must be on the List of Participants** in order to gain entry to the hearing room.
3. To that end, each intervenor and Trans Mountain may have a maximum of four individuals listed on the List of Participants at any time. Board staff will email a link to all intervenors and Trans Mountain, which they may use to request updates to the List of Participants (i.e., to remove or add names of people who may attend on their behalf).<sup>2</sup>
4. The Board encourages intervenors and Trans Mountain to request updates to the List of Participants as soon as possible. However, in any event, changes **must be requested 24 hours in advance of a particular day that a newly added individual wishes to attend the hearing**. Board staff will be checking photo identification to verify that individuals are on the List of Participants before they will be allowed entry.
5. Those wanting access to the hearing room will be subject to the following each time they want entry or re-entry (unless individuals remain within the area beyond the registration desk):
  - a) Individuals must show photo identification to prove they are on the List of Participants.
  - b) Individuals will be provided a lanyard identifying the intervenor they represent, which must be worn at all times. A maximum of two lanyards per intervenor will be given out at any one time. The same applies for Trans Mountain and its representatives.
  - c) When leaving the area beyond the registration desk, individuals must return their lanyard to Board staff. Failure to return one or both lanyards may result in refused entry for an intervenor's or Trans Mountain's representative(s) until the missing lanyard(s) is located and returned to Board staff.

**Accredited media:** Media who wish to attend the hearing in person must register for accreditation prior to entering the hearing room. Each media representative will be subject to the process described under Point 5 above. For information on the media accreditation process, as well as for all media inquiries, please contact Tara O'Donovan, Communications Officer, by email at [tara.odonovan@neb-one.gc.ca](mailto:tara.odonovan@neb-one.gc.ca), or by phone at 403-299-3633.

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<sup>2</sup> Board staff will make the requested updates as long as the maximum of four representatives per intervenor is not exceeded. Questions about requesting updates can be directed to the Process Advisor Team using the contact information at the conclusion of this letter.

Please consult the online List of Participants (main list [here](#); supplemental list [Burnaby Mountain corridor] [here](#)) to make yourself aware of the contacts showing for you or your group. Board staff will regularly update the List of Participants, based on the most recent requests.

**The requirements listed above will be strictly enforced at each hearing venue (i.e., in Calgary and Burnaby). The Board reminds Trans Mountain, intervenors, and media to review the requirements carefully, as not adhering to them may jeopardize your ability to attend the hearing at a given time.**

**Further guidance**

Please see Procedural Direction No. 13 for additional information and guidance on oral summary argument and the hearings that will take place. The Board will provide additional guidance and information as the hearings approach, both through official Board correspondence and by email.

The Board will have Process Advisors in the hearing room 30 minutes before the beginning of each scheduled session to answer questions.

If you require additional information about this procedural direction or about other aspects of the Board's hearing process, please see the OH-001-2014 Hearing Order, or contact the Board's Process Advisor Team at 403-292-4800 or 1-800-899-1265 (toll-free), or by email at [transmountainpipeline.hearing@neb-one.gc.ca](mailto:transmountainpipeline.hearing@neb-one.gc.ca).

Yours truly,

*Original signed by*

Sheri Young  
Secretary of the Board

Attachment





**Appendix 1 Oral summary argument schedule<sup>1</sup> (all times are Pacific)**

<b>Date</b>	<b>Morning (starts at 9:00 am)</b>	<b>Afternoon (starts at 1:30 pm)<sup>2</sup></b>	<b>Evening (starts at 6:00 pm)<sup>3</sup></b>
<b>Week 1</b>			
<b>Wednesday 9 September</b>	<i>preliminary matters</i>	T'Sou-ke First Nation	
		BP Canada Energy Group ULC (telephone)	
	Shxw'ōwhámel First Nation	District of North Vancouver	
<b>Thursday 10 September</b>	<i>preliminary matters</i>	Wembley Estates Strata Council	
	Mike Wiegele Helicopter Skiing (telephone)	City of Surrey	
	Kwantlen First Nation		
<b>Friday 11 September</b>	<i>preliminary matters</i>	Calvin Taplay	
	Coldwater Indian Band	Corporation of the City of Victoria	
	Stz'uminus First Nation	Edward Farquhar (telephone)	
<b>Week 2</b>			
<b>Monday 14 September</b>	<i>preliminary matters</i>	Matsqui First Nation	
	Cheam First Nation and Chawathil First Nation	City of Burnaby	
	Neskonlith Indian Band	Lower Nicola Indian Band	
<b>Tuesday 15 September</b>	<i>preliminary matters</i>	Musqueam Indian Band	
	Horse Lake First Nation (telephone)	Graduate Student Society at Simon Fraser University	
	City of Edmonton	City of Vancouver	
<b>Wednesday 16 September</b>	<i>preliminary matters</i>	Michael Hale	
	Stk'emlupsemc Te Secwepemc	Simon Fraser Student Society	
	City of Port Moody	Province of British Columbia	
<b>Thursday 17 September</b>	<i>preliminary matters</i>	Cowichan Tribes	
	Fraser Valley Regional District	Regional District of Fraser- Fort George	
	Township of Langley	City of Abbotsford	
<b>Friday 18 September</b>	<i>preliminary matters</i>	City of New Westminster	
	Katzie First Nation	Stó:lō Collective	
	Andrew Weaver	District of West Vancouver	

<sup>1</sup> The schedule above sets out the order of speakers for each session (morning, afternoon, evening). Each intervenor has a maximum of 60 minutes. Individual "start times" are not provided because, should an intervenor finish earlier than the allotted time, the next intervenor may be asked to speak.

<sup>2</sup> A lunch break will be provided between the morning and afternoon sessions.

<sup>3</sup> Where an evening session is scheduled, a dinner break will be provided between the afternoon and evening sessions.

Date	Morning (starts at 9:00 am)	Afternoon (starts at 1:30 pm) <sup>2</sup>	Evening (starts at 6:00 pm) <sup>3</sup>
<b>Week 3</b>			
<b>Monday 21 September</b>	<i>preliminary matters</i>	BC Nature and Nature Canada	
	Lyackson First Nation	Simpco First Nation	
	City of North Vancouver	Metro Vancouver	
<b>Tuesday 22 September</b>	<i>preliminary matters</i>	Washington State Department of Ecology	
	Swinomish, Tulalip, Suquamish, and Lummi Indian Nations	Squamish Nation	
	Alberta Federation of Labour	Lisa Craig	
<b>Wednesday 23 September</b>	<i>preliminary matters</i>	Tsawout First Nation	
	Grasslands Conservation Council of British Columbia	Tsleil-Waututh Nation	
	Upper Nicola Band		
<b>Thursday 24 September</b>	<i>preliminary matters</i>	Yarrow Ecovillage	
	Sunchild First Nation	North Shore No Pipeline Expansion	
	Samson Cree Nation	Masanobu Shoji	
<b>Friday 25 September</b>	<i>preliminary matters</i>	Adam Olsen	
	Simon Fraser University	Catherine Douglas	
	Friends of the Earth – US (telephone)	Canadian Association of Petroleum Producers	
<b>Week 4</b>			
<b>Monday 28 September</b>	<i>preliminary matters</i>	Alexander First Nation	Pro Information Pro Environment United People Network
	Burnaby Residents Opposing Kinder Morgan Expansion	BC Wildlife Federation	
	Don Pavlovich		
<b>Tuesday 29 September</b>	<i>preliminary matters</i>	Collaborative Group of Landowners Affected by Pipelines	Salmon River Enhancement Society
	Georgia Strait Alliance	Nooaitch Indian Band	
	Living Oceans Society and Raincoast Conservation Foundation		
<b>Wednesday 30 September</b>	<i>preliminary matters</i>	Board of Friends of Ecological Reserves	



Date	Morning (starts at 9:00 am)	Afternoon (starts at 1:30 pm) <sup>2</sup>	Evening (starts at 6:00 pm) <sup>3</sup>
	WaterWealth Project	Canadian Natural Resources Limited, Canadian Oil Sands Partnership #1, Cenovus Energy Inc., Devon Canada Corporation, Husky Oil Operations Limited, Imperial Oil, Statoil Canada Ltd., Suncor Energy Marketing Inc. and Suncor Energy Products Partnership, Tesoro Canada Supply & Distribution Ltd., and Total E&P Canada Ltd.	
	Shackan Indian Band	Elizabeth May	

**Annexe 1 Plaidoirie finale orale – calendrier des présentations<sup>1</sup>**  
(heure du Pacifique dans tous les cas)

Date	Avant-midi (à compter de 9 h)	Après-midi (à compter de 13 h 30) <sup>2</sup>	Soirée (à compter de 18 h) <sup>3</sup>
<b>Semaine 1</b>			
<b>Le mercredi 9 septembre</b>	<i>Questions préliminaires</i>	Première Nation T'sou-ke	
	Bande indienne Lower Nicola	BP Canada Energy Group ULC (téléphone)	
	Première Nation Shxw'ōwhámel	District de North Vancouver	
<b>Le jeudi 10 septembre</b>	<i>Questions préliminaires</i>	Conseil de copropriété Wembley Estates	
	Mike Wiegele Helicopter Skiing (téléphone)	Ville de Surrey	
	Première Nation Kwantlen		
<b>Le vendredi 11 septembre</b>	<i>Questions préliminaires</i>	Calvin Taplay	
	Bande indienne Coldwater	Corporation of the City of Victoria	
	Première Nation Stz'uminus	Edward Farquhar (téléphone)	
<b>Semaine 2</b>			
<b>Le lundi 14 septembre</b>	<i>Questions préliminaires</i>	Première Nation Matsqui	
	Première Nation Cheam et Première Nation Chawathil	Ville de Burnaby	
	Bande indienne Neskonlith		
<b>Le mardi 15 septembre</b>	<i>Questions préliminaires</i>	Bande indienne Musqueam	
	Première Nation Horse Lake (téléphone)	Association des diplômés de l'Université Simon Fraser	
	Ville d'Edmonton	City of Vancouver	
<b>Le mercredi 16 septembre</b>	<i>Questions préliminaires</i>	Michael Hale	
	Nation Stk'emlupsemc te Secwepemc	Association des étudiants de l'Université Simon Fraser	
	Ville de Port Moody	Province de la Colombie-Britannique	
<b>Le jeudi 17 septembre</b>	<i>Questions préliminaires</i>	Tribus Cowichan	
	District régional de Fraser Valley	District régional de Fraser-Fort George	
	Canton de Langley	Ville d'Abbotsford	
<b>Le vendredi 18 septembre</b>	<i>Questions préliminaires</i>	Ville de New Westminster	
	Première Nation Katzie	Collectif Stó:lō	
	Andrew Weaver	District de West Vancouver	

<sup>1</sup> Le calendrier précise l'ordre des présentations pour les différentes séances (avant-midi, après-midi et soirée). Chaque intervenant dispose d'au plus 60 minutes. Les « heures précises » ne sont pas indiquées, car si un intervenant devait prendre moins de temps que celui accordé, le suivant pourrait alors prendre la parole plus tôt que prévu.

<sup>2</sup> Une pause-repas est prévue entre les séances de l'avant-midi et de l'après-midi.

<sup>3</sup> Lorsqu'une séance est prévue en soirée, une pause-repas est prévue après la séance de l'après-midi.

Date	Avant-midi (à compter de 9 h)	Après-midi (à compter de 13 h 30) <sup>2</sup>	Soirée (à compter de 18 h) <sup>3</sup>
<b>Semaine 3</b>			
<b>Le lundi 21 septembre</b>	<i>Questions préliminaires</i>	BC Nature et Nature Canada	
	Première Nation Lyackson	Première Nation Simpcw	
	Ville de North Vancouver	Metro Vancouver	
<b>Le mardi 22 septembre</b>	<i>Questions préliminaires</i>	Département de l'Écologie de l'État de Washington	
	Nations indiennes Swinomish, Tulalip, Suquamish et Luumi	Nation Squamish	
	Alberta Federation of Labour	Lisa Craig	
<b>Le mercredi 23 septembre</b>	<i>Questions préliminaires</i>	Première Nation Tsawout	
	Grasslands Conservation Council of British Columbia	Nation Tsleil-Waututh	
	Bande Upper Nicola		
<b>Le jeudi 24 septembre</b>	<i>Questions préliminaires</i>	Yarrow Ecovillage	
	Première Nation Sunchild	North Shore No Pipeline Expansion	
	Nation crie Samson	Masanobu Shoji	
<b>Le vendredi 25 septembre</b>	<i>Questions préliminaires</i>	Adam Olsen	
	Université Simon Fraser	Catherine Douglas	
	Friends of the Earth – États-Unis (téléphone)	Association canadienne des producteurs pétroliers	
<b>Semaine 4</b>			
<b>Le lundi 28 septembre</b>	<i>Questions préliminaires</i>	Première Nation Alexander	Pro Information Pro Environment United People Network
	Burnaby Residents Opposing Kinder Morgan Expansion	BC Wildlife Federation	
	Don Pavlovich		
<b>Le mardi 29 septembre</b>	<i>Questions préliminaires</i>	Collaborative Group of Landowners Affected by Pipelines	Salmon River Enhancement Society
	Georgia Strait Alliance	Bande indienne Nooaitch	
	Living Oceans Society et Raincoast Conservation Foundation		



Date	Avant-midi (à compter de 9 h)	Après-midi (à compter de 13 h 30) <sup>2</sup>	Soirée (à compter de 18 h) <sup>3</sup>
<b>Le mercredi 30 septembre</b>	<i>Questions préliminaires</i>	Conseil de Friends of Ecological Reserves	
	WaterWealth Project	Canadian Natural Resources Limited, Canadian Oil Sands Partnership #1, Cenovus Energy Inc., Devon Canada Corporation, Husky Oil Operations Limited, Imperial Oil, Statoil Canada Ltd., Suncor Energy Marketing Inc. et Suncor Energy Products Partnership, Tesoro Canada Supply & Distribution Ltd. et Total E&P Canada Ltd.	
	Bande indienne Shackan	Elizabeth May	