



## Application to Participate([A81316](#))

**Filing Date: 2017-01-16**

### Hearing Information

Project Name: Wyndwood Pipeline Expansion Project

Company: Westcoast Energy Inc., carrying on business as Spectra Energy Transmission

File Number: OF-Fac-Gas-W102-2016-12 01

### I am Applying as:

- ☐ An Individual
- ☒ Authorized Representative on Behalf of an Individual
- ☐ A Group

☒ I have permission to speak on behalf of the Individual who is identified on this form as the Person Applying to Participate

### Contact Information:

- If you apply as individual, the contact information is for the Person Applying to Participate.
- If you apply as Authorized Representative, the contact information is for the Individual you are representing.
- If you apply as Group, the contact information is for the Group's main contact.

Salutation: Ms.

Last Name: Fager

First Name: Thea

Title:

Organization:

Telephone: 780-222-8776

Facsimile:

Email Address:

naomikoppe@hotmail.com

Address:

c/o Naomi Koppe

Box 39

Altario, Alberta T0C0E0

Canada

### Authorized Representative(s) Information:

*If you do not have an authorized representative this section will be blank.*

Salutation: Mr.	
Last Name: Carter	
First Name: Darryl	
Title:	Address: 102-10126 97 Avenue Grande Prairie, Alberta t8v7x6 Canada
Organization: Stringam LLP	
Telephone: 780-882-7296	
Facsimile:	
Email Address: darryl@stringam.ca	
<b>Address for Courier/Personal Service: (if different from mailing address)</b>	
Telephone: 780-882-7296	Address: 102-10126 97 Avenue Grande Prairie , Alberta t8v7x6 Canada
Facsimile:	

## Method of Participation

<p><b>I wish to participate as a:</b></p> <p><input type="radio"/> Commenter</p> <p><input checked="" type="radio"/> Intervenor</p>
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## Interest or Expertise

<p><input checked="" type="checkbox"/> The Individual I am representing is <b>directly affected</b> by the proposed project</p> <p><input type="checkbox"/> The Individual I am representing has <b>relevant information or expertise</b></p>
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## Connection to Project Issues

<p>5. The potential environmental and socio-economic effects of the Project, including any cumulative environmental effects that are likely to result from the Project, including those required to be considered by the NEB's Filing Manual.</p> <p>6. The appropriateness of the general route and land requirements for the Project.</p> <p>8. Potential impacts of the Project on landowners and land use.</p> <p>9. The suitability of the design of the Project.</p> <p>10. Contingency planning for spills, accidents or malfunctions, during construction and operation of the Project.</p> <p>11. Safety and security during construction of the Project and operation of the Project, including emergency response planning and third-party damage prevention.</p> <p>12. The terms and conditions to be included in any recommendation or approval the Board may issue.</p>
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Thea Fager is the owner of Block F of the SW¼ of District Lot 1126, Peace River District, in the Province of British Columbia. The said Block F would be directly affected by the Wyndwood Expansion Pipeline Project proposed by Westcoast Energy Inc carrying on business as Spectra Energy Transmission ("Spectra") if that project was approved by the National Energy Board. Spectra is seeking an order from the Board exempting the proposed Wyndwood Expansion Project from the provisions of 31 of the National Energy Board Act. Thea Fager is opposed to the Board's granting such an exemption because it could be used to deny her the right to a hearing regarding the detailed routing of the proposed pipeline plus the most appropriate methods and timing of construction as provided to landowners in sections 34-39 of the Act. Spectra has not provided any good reasons for an exemption from section 31 of the Act.

The Application filed by Spectra does not state that it is also requesting an exemption from section 33 of the Act but that may be Spectra's intention because the section 87 Notice that Spectra served on Thea Fager (a notice in the same form as Appendix 5-2 to Section 5 of the Application) stated in section 4:

In certain circumstances the procedure outlined above [referring to sections 34 through 39 of the Act] will not be applicable. Section 58 and subsection 45(3) of the Act empower the Board to exempt a pipeline company from certain of the provisions of the Act, including those provisions requiring the filing with the Board of a plan showing the proposed route of a pipeline. Exemption from this requirement would result in the above-described procedure for approval of the detailed route of a pipeline no longer being applicable. The situations in which such exemptions are available generally involve repairs and replacements of, and additions to, existing pipelines or circumstances where the pipeline expansion does not exceed 40 km in length.

Ms. Fager would also be opposed to any order of the Board exempting the proposed pipeline project from section 33 of the Act.

Besides the issue of the legality, appropriateness and need of the applied-for exemption, Ms. Fager's rights regarding the detailed routing of the proposed pipeline plus the most appropriate methods and timing of construction are related to the following issues in the Board's list of issues:

1. Potential impacts of the Project on landowners and land use.
2. The potential environmental and cumulative environmental effects that are likely to result from the Project.
3. The land requirements for the Project.
4. Contingency planning for spills, accidents or malfunctions, during construction and operation of the Project.
5. Safety and security during construction of the Project and operation of the Project, including emergency response planning.

## **Access, Notification and Service**

Which official language do you wish to use in correspondence with the Board and at the public hearing?

English ☒ French ☐

Documents submitted electronically are available on the Board's electronic document repository, (Click 'View' under 'Regulatory Documents' at [www.neb-one.gc.ca](http://www.neb-one.gc.ca)). If you have the capability to access the repository, the Board and other Participants in this proceeding may serve you by notifying you that a document has been filed and is available in the repository, instead of serving you with a hard copy of the document.

Are you able to access the Board's electronic document repository?

Yes ☒ No ☐

Notification by email advising that a document has been filed will be sent to the following email addresses:

Darryl Carter [[darryl@stringam.ca](mailto:darryl@stringam.ca)]

Thea Fager [[naomikoppe@hotmail.com](mailto:naomikoppe@hotmail.com)]