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February 13, 2017

E-FILED

National Energy Board
Attention: Sheri Young, Secretary of the Board
Suite 210, 517 Tenth Ave SW
Calgary, AB T2R 0A8

Dear Ms. Young:

**RE: Energy East Pipeline Ltd. (EEPL) and TransCanada Pipelines Ltd. (TransCanada)
(collectively, the Applicants)
Energy East Project, Asset Transfer and Eastern Mainline (the Projects)
File No. OF-FAC-Oil-E266-2014-01 02
Ruling No. 1**

We are counsel representing CAEPLA/AAPL/MPLA-T/NBOC/EMLC with respect to TCPL's pending Energy East and Eastern Mainline NEB applications. In the Board's Ruling No. 1 (January 27/17), at Ruling 1.2, the Board has requested intervenor comment with respect to whether the Energy East and Eastern Mainline applications should proceed via a single hearing, to be heard by one panel with a single record.

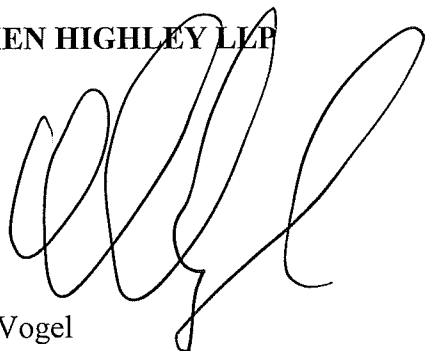
As identified in CAEPLA's Energy East and Eastern Mainline Applications to Participate (A66462 and A66475-February 20/15 respectively), CAEPLA represents a substantial number of agricultural landowners across Canada directly affected by TCPL's pending applications. In our letter of July 19/16 (A78595) we have provided for the Board's reference a preliminary summary of land rights, construction/restoration, compensation structure and post-construction issues of concern to CAEPLA member landowners and CAEPLA's proposed resolution of these concerns derived from current industry precedent agreements. As previously advised, it is these issues and proposed resolutions which are important to CAEPLA member landowners and which will be pursued on their behalf by CAEPLA/AAPL/MPLA-T/NBOC/EMLC in TCPL's pending NEB applications. Since the same issues and resolutions will be advanced by CAEPLA on behalf of directly affected landowners on both the Energy East and Eastern Mainline applications, CAEPLA respectfully submits that the most efficient, cost-effective method of proceeding is for these two applications to be reviewed and heard together in a single consolidated hearing process. These landowners should not be required to expend the additional time, effort and

expense for separate hearings to address the same issues requesting the same relief with the possibility of different determinations.

We trust that this information is sufficient for the Board's purposes at this time. If you have any questions in this regard, or require additional information, please advise.

Yours very truly,

COHEN HIGHLEY LLP

A handwritten signature in black ink, appearing to be 'Paul Vogel', written over the firm name.

Paul Vogel

email: vogel@cohenhighley.com

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