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VIA PARTICIPATION PORTAL

September 7, 2016

National Energy Board
517 Tenth Avenue SW
Calgary, Alberta
T2R 0A8

Attention: Ms. Sheri Young, Secretary of the Board

Dear Ms. Young:

Re: Hearing Order OH-002-2016
File Of-Fac-Oil-E266-2014-01 02
Energy East Project, Asset Transfer and Eastern Mainline Project
Comment on letters requesting revisions to the scope of the National Energy Board's review

I represent the intervenor **Équiterre** in this proceeding.

Équiterre provides these comments in reply to the **24 August 2016** call for comments issued by the National Energy Board (the Board) in relation to letters filed by intervenors **Algonquin to Adirondacks Collaborative** and **Aroland First Nation**, requesting revisions to the scope of the Board's review.

Équiterre supports the above-mentioned letters, which the Board indicated will be considered as notices of motion. More particularly, Équiterre supports the inclusion within the scope of the designated project of three of the four elements that **Algonquin to Adirondacks Collaborative** and **Aroland First Nation** identify as missing from the Board's 20 July 2016 filing of "Factors and Scope of Factors" for the Environmental Assessment pursuant to the Canadian Environmental Assessment Act 2012 (CEAA 2012) for the proposed Energy East Project.¹ These elements are listed as follows, and Équiterre refers the Board to the original notices of motion from **Algonquin to Adirondacks Collaborative** and **Aroland First Nation** for details:

- 1) New electricity services totalling 1,500 MW required to operate pumps for moving crude oil on the Energy East pipeline;
- 2) Site and regionally specific emergency response plans; and
- 3) Construction work required to bring existing pipelines on the "conversion portion" to maximum operating pressure.

Équiterre, strongly supports the motions by Algonquin to Adirondacks Collaborative and Aroland First Nation with respect to the elements listed above and encourages the Board to grant the relief sought in relation to those elements. While relief granted on these motions will not, by itself, rectify other

¹ Équiterre declines to comment on the fourth element identified by the notices of motion in question – namely, specific aboriginal procurement plans – out of respect to First Nations, who speak for themselves on such matters.

shortcomings related to the scope of the project, most notably the lack of consideration of upstream and downstream impacts of the project upon the pressing problem of climate change, such relief will at least represent some progress toward improving the review of the Energy East project.

Yours truly,

A handwritten signature in cursive script, reading "Shelley L. Kath". The signature is written in dark ink and is positioned above a horizontal line.

Shelley Kath, for Équiterre