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February 10, 2017

National Energy Board
Suite 210, 517 Tenth Avenue SW
Calgary, Alberta T2R 0A8

Attention: Sheri Young, Secretary to the Board

Dear Ms. Young,

**Re: NOVA Gas Transmission Ltd. (NGTL)
Albersun Pipeline Asset Purchase
Hearing order GHW-001-2016
Board File OF-Fac-Gas-N0081-2016-04 01
Information Requests and technical evidence for NGTL Albersun Pipeline Asset Purchase (the “Proposed Purchase”)**

We write to you in respect of the above mentioned matters.

We are aware that the periods for intervenors to lead their own technical evidence and to make Information Requests (“IRs”) of NGTL closed on December 6, 2016 and January 17th, 2017, respectively.

As the National Energy Board (“NEB”) is aware, Bigstone was granted standing as an Intervenor on December 6th, the same day that the deadline for filing IRs closed. As such, it was impossible for us to become involved in the IR process by the December 6th deadline. Additionally, the deadline for providing IRs and to lead evidence coincided with our holiday closure period. Our office did not reopen until January 3rd and we were not fully staffed until Monday January 9th, 2017. Further, we only obtained confirmation that participant funding would be made available to us on February 8th. Together, these factors prohibited us from submitting IRs in accordance with the deadline in the hearing order and significantly limited our ability to gather and lead evidence of a technical nature.

Despite these capacity constraints, Bigstone did file evidence with the NEB relating to the impacts of the Proposed Purchase to our Aboriginal and Treaty No. 8 rights in accordance with the January 17th deadline. However, due to the financial and human resource constraints faced by Bigstone, we have been unable to address the issue of submitting IRs or to seek relevant technical evidence related to the Proposed Purchase.

For the forgoing reasons we are seeking the opportunity to issue IRs and hire the necessary experts to review the documents which have been submitted to the NEB with a view to providing additional technical evidence. We would also like to note that the NEB submitted IR No. 2 to NGTL in relation to why Bigstone was not consulted on the Proposed Purchase and that NGTL responded to IR No. 2 on February 7, 2017. While this IR related to some of Bigstone’s interests and covered some of our preliminary questions relating to the Proposed Purchase, a Bigstone

originated IR is critical as it would focus on specific concerns related to Bigstone's Aboriginal and Treaty rights.

To avoid our participation in these regulatory processes being unduly prejudiced, it is critical that we be provided the opportunity to review the NGTL documents which have been filed with the NEB with our experts and to issue IRs. Additionally, we would like to have the possibility of leading our own technical evidence relating to the Proposed Purchase. Together, these requests would be a significant step towards the NEB providing for our full and meaningful participation in the hearing process.

We feel that these requests would not cause any prejudice to the Applicant and, if granted, would not in any way compromise the ability of the NEB to render its decision in accordance with the timelines mandated by the NEB Act. As such, we request that that the NEB provide us with a minimum of forty five days (45) from the date of making its decision on this matter to review the filed documents, engage technical expertise, file IRs, and file relevant technical evidence with the NEB. This would provide Bigstone with a reasonable opportunity to become substantively engaged in the regulatory process in accordance with the principals of natural justice.

We thank the NEB for its timely attention this important matter.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Chief Gordon T. Auger
Bigstone Cree Nation

cc: Aryn F. Lalji, Miller Thomson LLP, alalji@millerthomson.com