



File OF-Fac-Gas-N081-2013-06 01
7 August 2013

Ms. Deanna Merrick
Regulatory Project Manager Regulatory
Services
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Ms. Tamara Bews
Senior Legal Counsel
Law and Regulatory Research
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Facsimile 403-920-2310

Dear Ms. Merrick and Ms. Bews:

**NOVA Gas Transmission Ltd. (NGTL) - Application to Decommission
Alberta System Meter Stations and Associated Laterals Pursuant to Section
45.1 of the *Onshore Pipeline Regulations* (OPR)
Aboriginal Group Consultation Directive**

On 24 May 2013, the National Energy Board (Board) received an application from NGTL to decommission Alberta System meter stations and associated laterals (Project) pursuant to section 45.1 of the OPR.

The Board completed a Traditional Territory Analysis on the Project and identified Aboriginal groups who have asserted traditional territory in the Project areas who were not consulted. On 15 July 2013, NGTL filed their response to the Board's Information Request No. 1.2 – Identification of Aboriginal Groups. In that response, NGTL indicated notification was not required for the identified groups. The Board is not satisfied with NGTL's justification for not consulting all Aboriginal groups who have asserted traditional territory in the project areas.

The Board expects companies to consult with all potentially impacted stakeholders throughout the lifecycle of a project. The following Aboriginal groups should have been notified of the Project and provided the opportunity to raise any concerns they may have about the Project with the company:

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- Alexander First Nation
- Beaver Lake Cree Nation
- Chipewyan Prairie (Janvier) First Nation
- Driftpile First Nation
- Enoch (Lapatack Cree) First Nation
- Heart Lake First Nation
- Horse Lake First Nation
- Kapawe'no (Grouard) First Nation
- Kehewin Cree First Nation
- Kelly Lake Cree Nation
- Kelly Lake First Nation
- Paul First Nation
- Sawridge First Nation
- Sturgeon Lake First Nation
- Sucker Creek First Nation
- Swan River First Nation
- Metis Nation of Alberta – Region 1
- Metis Nation of Alberta – Region 3
- Metis Nation of Alberta – Region 4
- Metis Nation of Alberta – Region 5
- Metis Nation of Alberta – Region 6
- Buffalo Lake Métis Local 2002
- Kelly Lake Metis Settlement Society
- Grande Prairie Métis Local 1990
- Lethbridge Métis Local 2003
- Valleyview Métis Local 1929

The Board directs NGTL to serve a copy of this letter and NGTL's Project information package on the above listed Aboriginal groups by 14 August 2013. These groups have until 21 August 2013 to provide any comments to NGTL on the Project. NGTL must file an updated Consultation Plan with the Board by 28 August 2013 indicating any concerns raised by these Aboriginal groups and how NGTL has or will address those concerns.

Please e-file your written responses and any associated correspondence, or fax those documents that cannot be provided electronically to 403-292-5503 or toll free at 1-877-288-8803.

Yours truly,



for
Sheri Young
Secretary of the Board