

1 **Q. Reference: footnote 10 of Ms. McShane’s evidence - please provide a copy of NEB’s**
2 **decision or notice that it has decided to consider whether it should initiate a full**
3 **review of its RH-2-94 decision which adopted the automatic adjusted formula.**
4

5 A. Attachment A is a copy of NEB’s notice that it had decided to consider whether it should
6 initiate a full review of its RH-2-94 decision, dated March 23, 2009. Subsequently, on
7 July 3, 2009 the NEB issued a letter stating that it had decided to initiate a review of its
8 RH-2-94 multi-pipeline cost of capital decision and was seeking comments on the
9 continuing applicability of the RH-2-94 Decision.

NEB

**Submissions related to whether the Board should review
the Multi-Pipeline Cost of Capital Decision (RH-2-94)**

National Energy
Board



Office national
de l'énergie

23 March 2009

To: Parties Named in the Attached Distribution List

**Submissions related to whether the Board should review
the Multi-Pipeline Cost of Capital Decision (RH-2-94)**

The National Energy Board has decided to consider whether it should initiate a review, pursuant to section 21 of the *National Energy Board Act*, of the RH-2-94 Decision at this time. As a first step, the Board is soliciting comments from interested persons on whether they believe that the Decision should be reviewed. Those providing comments should include the grounds for their submission along with their views on the process which should be used and the issues to be considered if a review is held.

Submitters are asked to provide their comments by filing them with the Board by **noon, Calgary time, Monday, 25 May 2009.**

After considering the submissions, the Board will inform parties of its intentions with respect to subsequent initiatives, if any.

Companies in Part A of the attached Distribution List are directed to serve forthwith a copy of this letter on their shippers and interested parties, including parties to their latest tolls decision or settlement. They need not serve a copy on any person listed in Part B.

Yours truly,

A handwritten signature in cursive script, reading "AnneMarie Erickson".

for
Claudine Dutil-Berry
Secretary of the Board

Attachment

Attached Distribution List/Liste de distribution ci-jointe

Method of Service – Mode de service

Efile Notification/Signification par voie électronique

Facsimile/télécopieur

Mail/courier

Part A/Partie A

Alliance Pipeline Ltd.	rob.power@alliance-pipeline.com
Enbridge Pipelines Inc.	helene.long@enbridge.com
Enbridge Pipelines (NW) Inc.	ralph.fischer@enbridge.com
Express Pipeline Limited Partnership	brenda_mcclellan@kindermorgan.com
Foothills Pipelines Inc.	murray_sondergard@transcanada.ca
Gazoduc Trans Québec & Maritimes Inc.	botis@gazoductqm.com
Kinder Morgan Cochin ULC	brenda_mcclellan@kindermorgan.com
Maritimes & Northeast Pipeline Management Ltd.	ileadley@spectraenergy.com
NOVA Gas Transmission Ltd.	greg_szuch@transcanada.com patrick_keys@transcanada.com
TransCanada PipeLines Limited	murray_sondergard@transcanada.com
Trans Mountain Pipeline Inc.	brenda_mcclellan@kindermorgan.com
Trans-Northern Pipelines Inc.	jlang@tnpi.ca
Westcoast Energy Inc., carrying on business as Spectra Energy Transmission	melthorpe@spectraenergy.com

Part B/Partie B

(List of Interested Parties – RH-2-94 – Liste des parties intéressées)

Alberta Department of Energy	regaffairs.energy@gov.ab.ca
B.P. Canada Energy Co.	cheryl.worthy@bp.com
BC Hydro and Power Authority	bchydroregulatorygroup@bchydro.com
City Of Calgary	Mark.Rowe@calgary.ca
Canadian Association of Petroleum Producers	jardine@capp.ca
Canadian Energy Pipeline Association	brendakenny@cepa.com
Canwest Gas Supply Inc.	604-661-3347
Centra Transmission Holdings Inc.	jbrophy@efgroupllc.com
Centra Gas Manitoba Inc.	baczarniecki@hydro.mb.ca
Council of Forest Industries of British Columbia	mauch@cofi.org
Enbridge Gas Distribution	tania.persad@enbridge.com
EnCana Corporation	rinde.powell@encana.com
Export Users Group	weislawe@shaw.ca
Gaz Métro	kasselin@gazmetro.com
Huntingdon International Pipeline Corporation	604-443-6696
Imperial Oil Resources	ronald.moore@esso.ca
Industrial Gas Users Association	mnewton@igua.ca
New England Power Company	508-898-3952

Northern Border Pipeline Company	Loretta.McGowan@Nborder.com
Plains Marketing Canada, L.P.	403-233-0399
Province of Ontario	416-326-6996
Province de Québec	418-643-7524
Rochester Gas and Electric Corporation	marjorie_perlman@rge.com
Shell Canada Limited	paul.m.davies@shell.com
Terasen Gas Inc.	regulatory.affairs@terasengas.com
Teck Cominco Metals Ltd.	604-631-3232
TransAlta Corporation	403-267-2575
Union Gas Limited	pplanting@uniongas.com

(Other Pipeline Companies/ Autres sociétés pipelinières)

1057533 Alberta Ltd. / Harvest Operations Corp	403-265-3490
2193914 Canada Limited	tania.persad@enbridge.com
Abitibi-Consolidated Company of Canada	514-394-3630
Agent and General Partner of the Pembina North Ltd. Partnership Pouce Coupé Pipe Line Ltd.	dzacharias@pembina.com
AltaGas Pipeline Partnership	403-691-7576
Apache Canada Ltd.	anita.bianchie@apachecorp.com
ARC Resources Ltd.	403-503-8645
Bear Paw Processing Company (Canada) Ltd.	701-565-2229

Berens Energy Ltd	403-265-5587
Burlington Resources Canada (Hunter) Ltd.	403-260-6000
Canada Border Services Agency	306-780-7750
Canadian Natural Resources Limited	bryan.bradley@cnrl.com
Canadian – Montana Pipeline Corporation	mail
Champion Pipe Line Corporation Limited	514-598-3144
Chief Mountain Gas Co-Op Ltd.	403-653-1395
Crescent Point Resources Ltd	403-693-0070
County of Vermillion River No. 24 Gas Utility	780-846-2716
Delphi Energy Partnership Delphi Energy Corporation	403-265-6207
Devon Canada Corporation	keith.fardy@devoncanada.com
DR Four Beat Energy Corporation	406-862-0715
Dome NGL Pipeline Ltd.	Suzanne.Boucher-chen@bp.com
EB Eddy Forest Products Ltd. c/o Domtar Inc.	mail
Echoex Energy Inc.	403-265-4354
Enbridge Pipelines (Westspur) Inc.	Peter.Taylor@enbridge.com
EnCana Ekwan Pipeline Inc	403-645-3054
EnCana Oil & Gas Company Ltd.	rinde.powell@encana.com
EnCana Oil & Gas Partnership	rinde.powell@encana.com
EnerMarck Inc.	403-298-2211

ExxonMobil Canada Properties	902-496-0958
Forty Mile Gas Co-Op Ltd.	403-529-2489
Fraser Papers Inc. (Canada)	506-737-2100
Glencoe Resources Ltd.	dave.brown@glenres.ca
Holland & Knight	202-955-5564
Huntingdon International Pipeline Corporation	604-592-7620
Husky Oil Operation Limited	susan.anderson@huskyenergy.ca
ISH Energy Ltd.	403-265-1792
Kaiser Exploration Ltd.	403-265-3161
Keyera Energy Ltd.	403-205-8318
Many Islands Pipe Lines (Canada) Limited	306-565-3332
Mid-Continent Pipelines Limited	306-352-8892
Minell Pipeline Limited	204-475-2452
Montreal Pipe Line Limited	514-645-7663
Murphy Canada Exploration Company	403-233-2565
Nexen Inc.	shannon_young@nexeninc.com
Niagara Gas Transmission Limited	tania.persad@enbridge.com
Nova Chemicals (Canada) Ltd.	mcdougcd@novachem.com
NuVista Energy Ltd	403-538-8575
Omimex Canada Ltd.	817-735-8033
Paramount Transmission Ltd	403-262-7994

Peace River Transmission Company Limited	604-697-6210
Pengrowth Corporation	pengrowth@pengrowth.com
Penn West Petroleum Ltd.	403-777-2670
Pioneer Natural Resources Canada	tracey.bell@pxd.com
PMC (Nova Scotia) Company	403-233-0399
Portal Municipal Gas Company Canada Inc.	306-721-9220
Provident Energy Ltd.	rlock@providentenergy.com
SCL Pipeline Inc.	403-691-4894
Shiha Energy Transmission Lt.	tom.hong@paramountres.com
Souris Valley Pipeline Limited	306-848-0293
Spectra Energy Empress LP	mkelly@spectraenergy.com
Spectra Energy Midstream Canada LP	BLMoore1@spectraenergy.com
St. Clair Pipelines Management Inc.	902-425-4592
Suncor Energy Inc.	403-710-5159
Sun-Canadian Pipe Line Company	215-977-3409
Sword Energy Ltd.	403-770-4850
Talisman Energy Inc.	403-237-1902
Taurus Exploration Canada Ltd	403-265-2340
TransCanada Keystone Pipeline GP Ltd.	kristine_delkus@transcanada.com
True Energy Inc.	403-264-8163
Vault Energy Inc.	403-264-0061

Vector Pipeline Limited Partnership	734-462-0231
Wolstitmor Joint Venture	403-513-3750
Yukon Pipelines Ltd.	bhedges@russelmetals.com

(Interested Parties / parties intéressées)

The Honourable Robert Douglas Nicholson, P.C., Q.C., M.P. Minister of Justice & Attorney General of Canada	613-990-7255
The Honourable Wally Oppal Attorney General & Minister Responsible for Multiculturalism Province of British Columbia	250-387-6411
The Honourable Alison Redford, Q.C. Minister of Justice & Attorney General and Government House Leader Province of Alberta	780-422-6621
The Honourable Don Morgan Minister of Justice & Attorney General Province of Saskatchewan	306-787-1232
The Honourable Dave Chomiak Minister of Justice and Attorney General Government House Leader Province of Manitoba	204-945-2517
The Honourable Chris Bentley Attorney General of the Province of Ontario	416-326-4007
L'Honourable Jacques P. Dupuis Ministre de la Justice du Québec Procureur général Notaire général du Québec Ministre responsable des lois professionnelles et Ministre de la Sécurité publique	418-646-0027

The Honourable Thomas J. Burke, Q.C.
Minister of Justice and Attorney General and
Minister of Consumer Affairs
Province of New Brunswick 506-453-3651

The Honourable Cecil P. Clarke
Attorney General and Minister of Justice
Minister Responsible for Human Rights Act
Minister Responsible for Regulations Act
Minister Responsible for Part II of Workers Compensation Act
Province of Nova Scotia 902-424-0510

The Honourable Gerard Greenan
Attorney General
Province of Prince Edward Island 902-368-4910

The Honourable Thomas Marshall
Minister of Justice & Attorney General
Province of Newfoundland and Labrador 709-729-2129

The Honourable Marian Horne
Minister of Justice
Government of the Yukon
Yukon Legislative Assembly 867-393-7400

The Honourable Jackson Lafferty
Minister of Justice
Minister of Industry, Tourism and Investment
Government of the Northwest Territories 867-873-0169

The Honourable Paul Okalik
Premier and Minister of Justice
Minister Responsible for Aboriginal Affairs
Minister of Executive & Intergovernmental Affairs
Government of the Nunavut Territory 867-975-5051

(Provincial Government Departments / Ministères provinciaux)

The Honourable Richard Hurlburt Minister of Energy and Minister Responsible for Military Relations Nova Scotia Department of Energy	902-424-3265
Mr. Gordon Goodman Assistant Deputy Minister (Oil/Gas) Ministry of Energy, Mines and Petroleum Resources OGD – Oil & Gas Division Province of British Columbia	250-952-0926
Mr. Stirling Bates Director of Regulatory Policy Oil and Gas Policy Branch Ministry of Energy, Mines and Petroleum Resources Province of British Columbia	250-952-0251
Ms. C. J. C. Page, Counsel Branch Head of Regulatory Affairs Alberta Department of Energy	403-297-5499
Mr. Douglas Larder, Q.C. General Counsel and Executive Director-Law Alberta Utilities Commission	403-592-4406
Mr. Kent Campbell a/Assistant Deputy Minister Energy & Resources Government of Saskatchewan	306-787-2478
Mr. Keith Lowdon Director, Petroleum Branch Science, Technology, Energy & Mines	204-945-0586

Mr. Rand Roszell
Director, Legal Services
Ministry of the Environment and
Ministry of Energy, Science & Technology
Province of Ontario 416-326-6996

M. Claude Bécharde
Ministre des Ressources naturelles
et de la Faune
Province de Québec 418-643-7524

Mr. Paul Molloy, P.Eng.
Manager, Processing & Transportation
Department of Natural Resources,
Government of Newfoundland and Labrador
Department of Natural Resources 709-729-2325

(Associations)

Mr. Nick Schultz
Vice President, Regulatory and Transportation Policy, and General Counsel
Canadian Association of Petroleum Producers 403-266-3123

Mr. David Podrutzny
Vice President, Business and Economics
Secretary to the Board
The Canadian Chemical Producers' Association 613-237-4061

Mr. Michael Cleland
President and CEO
Canadian Gas Association 613-748-9078

Mr. Murray Newton
President
Industrial Gas Users Association 613-230-9531

Mr. Shane Pospisil
President and CEO
Ontario Energy Association 416-961-1173

Ms. Karmen Groza Office Administrator/Office Manager Small Explorers and Producers' Association of Canada	403-269-3636
Ms. Brenda Kenny President Canadian Energy Pipeline Association	403-221-8760
Mr. Pierre Guimond President Canadian Electricity Association	613-230-9326
Mr. Paul Vogel Cohen Highley LLP	519-672-5960
Mr. David Core President Canadian Alliance of Pipeline Landowners' Associations	519-869-4124