



Application to Participate([A67250](#))

Filing Date: 2015-02-27

Hearing Information

Project Name: Energy East Project and Asset Transfer

Company: Energy East Pipeline Ltd.

File Number: OF-Fac-Oil-E266-2014-01 02

I am Applying as:

- ☒ An Individual
- ☐ Authorized Representative on Behalf of an Individual
- ☐ A Group

Contact Information:

- If you apply as individual, the contact information is for the Person Applying to Participate.
- If you apply as Authorized Representative, the contact information is for the Individual you are representing.
- If you apply as Group, the contact information is for the Group's main contact.

Salutation: Mr.

Last Name: Kellock

First Name: John

Title:

Organization:

Telephone: 506-647-3634

Facsimile:

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johnk288@hotmail.com

Address:

13 River St.

Grand Bay-Westfield , New Brunswick E5K 2J1

Canada

Authorized Representative(s) Information:

If you do not have an authorized representative this section will be blank.

Method of Participation

I wish to participate as a:

- ☒ Commenter
☐ Intervenor

Interest or Expertise

- ☐ I am **directly affected** by the proposed Project
☒ I have **relevant information or expertise**

Connection to Project Issues

4. The appropriateness of the tolling methodology, and the method of toll and tariff regulation, including whether Energy East should be regulated as a Group 1 or Group 2 company
5. The commercial, economic, supply and market impacts of the Asset Transfer, including the need, economic feasibility and commercial impacts of the Eastern Mainline Project. This includes the appropriateness of the proposed capacity of the Eastern Mainline of 575 TJ/d.
6. Transfer of Assets:
 1. The tests to be used to assess the sale and purchase of the assets
 2. The assets to be transferred and any terms to be included
 3. The value which should be assigned to the facilities for the purposes of:
 - removal from the rate base of the TransCanada PipeLines Limited's natural gas mainline; and
 - inclusion in Energy East's toll calculation
7. The potential environmental and socio-economic effects of the Project, including the environmental effects of accidents or malfunctions that may occur in connection with the project, and any cumulative effects that are likely to result from the Project, as considered under the *Canadian Environmental Assessment Act, 2012*
8. The potential environmental and socio-economic effects of increased marine shipping
9. The appropriateness of the general route and land requirements for the Project
16. The terms and conditions to be included in any recommendation or approval the Board may issue for the Project

4. The appropriateness of tolling and methodology as it applies to the facilities, imperative to the project such as (a) construction and operation and ownership of the on shore storage, on shore and attached piping (laterals) and combined use of Canaport facilities, including pumping and shared use of monobouy facilities, docking, onloading pipelines, and general operation of onshore equipment, personnel and safety. It would appear that Irving Oil should also be listed as applicant, along with TCPL, particularly in terms of liability and operational aspects related to tolls.

5. The end use of the product and the breakdown of separation of product for Canada refinery consumption versus export, and the necessary proof of ownership of the product, who it is to be owned by, up and until custody transfer to Irving or others. detailed ownership of the product and the toll of use of the facilities.

6. As above, with the contingent liability at every stage, and toll and taxation jurisdiction.

7. and 16. It is well known that accidents can happen. The major construction contractor and constructors in particular, must be under contracts for individual liability for accidents and prevention. the numerous contractors and subcontractors on this project, must adhere to all provisions of contract, including those related to particular issues and responses to landowner and stakeholder requests and agreements, above and beyond the technical and engineering requirements. In other Energy Board jurisdictions a lands relations agent is required, for example, by a one line sentence in a Board order that requires the Company to provide independent oversight and communication, day to day on landowner and stakeholder issues, during construction, on clean up and to full and final releases. My expertise relates to over 30 years as a professional land agent, and right of way supervisor, for numerous pipeline projects including those under NEB jurisdiction.

8. and 9. There is no reference to potential alternates to the route; one possible potential is to change the portion from Hampton to Evandale and to the west side of Saint John (Lorneville) and to an industrial property already expropriated and owned by the City, and permitted for a terminal location, well removed from the residential areas of Hampton and east Saint John. The area is large enough to include all the facilities as well as construction yard pipe offloading and infrastructure, and would avoid major traffic in the City. The use of this same location for an export terminal would reduce the impact of increased tanker traffic, at the port entrance, in the Bay of fundy.

Access, Notification and Service

Which official language do you wish to use in correspondence with the Board and at the public hearing?

English ☒ French ☐

Documents submitted electronically are available on the Board's electronic document repository, (Click 'View' under 'Regulatory Documents' at www.neb-one.gc.ca). If you have the capability to access the repository, the Board and other Participants in this proceeding may serve you by notifying you that a document has been filed and is available in the repository, instead of serving you with a hard copy of the document.

Are you able to access the Board's electronic document repository?

Yes ☒ No ☐

Notification by email advising that a document has been filed will be sent to the following email addresses:

John Kellock [johnk288@hotmail.com]