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89552/2

September 7, 2016

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

Attention: Sheri Young  
Secretary of the Board

Dear Ms. Young:

**Re: National Energy Board (Board) Hearing Order OH-002-2016  
Energy East Pipeline Ltd. and TransCanada PipeLines Limited (collectively, the  
Applicants)  
Energy East Project, Asset Transfer and Eastern Mainline Project (the Applications)  
Notices of motion from Stratégies Énergétiques and the Association Québécoise de lutte  
contre la pollution atmosphérique, and Transition Initiative Kenora (Recusal Motions)  
File OF-Fac-Oil-E266-2014-01 02**

By letter dated August 23, 2016, the Board established September 7, 2016 as the date for comments on the Recusal Motions.

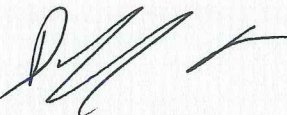
Today, the Applicants are in receipt of a letter to the Board from counsel for Transition Initiative Kenora (TIK) which provides the position of TIK "on the consequences for the Board's review of Energy East should Members Gauthier and Mercier recuse themselves".

The Applicants determined that they would not file comments on the disposition of the Recusal Motions. The Applicants would, however, certainly have comments on the consequences for the regulatory review of the Applications in the event that there were to be a recusal.

The Applicants request that, in the event of a recusal, the Board establish a process to hear from all parties, including the Applicants, on the effect of such recusal on the review of the Applications. The

comments of TIK on the consequences of recusal should not be considered by the Board in its deliberations on the merits of the Recusal Motions.

Yours very truly,

*fr*   
C. Kemm Yates

cc. All Participants OH-002-2016

CKY/jahk