



File OF-Fac-Oil-T260-2013-03 63
29 April 2020

To: All parties to Detailed Route Hearing MH-030-2020

**Trans Mountain Pipeline ULC (Trans Mountain)
Trans Mountain Expansion Project
Detailed Route Hearing MH-030-2020 (Hearing)
Coldwater Indian Band (Coldwater) [Phase 2]
Receipt of correspondence**

The Commission of the Canada Energy Regulator (Commission) is in receipt of comments from Coldwater about the process for its Phase 2 Hearing ([C05950](#)), which were filed in response to the Commission's 21 April 2020 Procedural Direction outlining process modifications for the active Hearings in Segments 5, 6, and 7 ([C05817](#)).

As noted in paragraph 1 of Coldwater's letter, the Procedural Direction does not apply to the Coldwater Phase 2 Hearing, for which a Hearing Order has not yet been issued.

The Commission's 3 February 2020 letter ([C04512](#)) indicated that the Commission will only issue a Hearing Order for the Coldwater Phase 2 Hearing if:

- Trans Mountain files the report required pursuant to Certificate Condition 39 and the Commission determines that the Condition 39 report is complete enough to proceed to assessment, taking into consideration submissions from Coldwater and Trans Mountain; and
- following the three-month period for routing negotiations pursuant to Commitment 4167, Trans Mountain continues to propose an eastern route through the Coldwater Valley.

Given that the Coldwater Phase 2 Hearing may not be set down at all, or may not be set down until such time as circumstances with respect to the pandemic are different, the Commission is of the view that Coldwater's submissions regarding the hearing process are premature.

For any questions, please contact a Process Advisor by phone at 403-560-7323 or 1-800-899-1265 (toll-free), or by email at TMX.ProcessHelp@cer-rec.gc.ca.

Yours sincerely,

Original signed by S. Wong
for
L. George
Secretary of the Commission

c.c. Trans Mountain Canada Inc., General inbox, Email info@transmountain.com
Ms. Kimberly Lavoie, Natural Resources Canada, Email kimberly.lavoie@canada.ca
Mr. Paul Shenher, Department of Justice, Email paul.shenher@justice.gc.ca