



Canada Energy
Regulator

Régie de l'énergie
du Canada

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File 3427016
8 January 2024

Sander Duncanson
Counsel for Trans Mountain
Osler, Hoskin, & Harcourt LLP
225 – 6th Avenue SW
Calgary, AB T2P 1N2
Email sduncanson@osler.com

Dear Sander Duncanson:

**Trans Mountain Pipeline ULC
Trans Mountain Expansion Project
Certificate of Public Convenience and Necessity OC-065
Application for Variance and Condition Relief under the Certificate**

**Before: K. Penney, Presiding Commissioner; T. Grimoldby, Commissioner;
S. Sajnovics, Commissioner**

A. Background

Trans Mountain Pipeline ULC (**Trans Mountain**) filed an application ([C27678](#)) with the Canada Energy Regulator (**CER**) pursuant to subsection 190(1) of the *Canadian Energy Regulator Act* (**CER Act**) on 14 December 2023, requesting approval to vary Schedule A of Certificate of Public Convenience and Necessity OC-065 with respect to the diameter and wall thickness of pipe for the Trans Mountain Expansion Project (**TMEP**) segment that includes the Mountain 3 Horizontal Directional Drill (**HDD**) crossing (**Variance**).

Trans Mountain requested an expedited decision on the Variance application by 9 January 2024 to advance the timely completion of the Mountain 3 HDD and the overall TMEP.

On 22 December 2023, the Commission of the CER issued Information Request (**IR**) No. 1 ([C27818](#)) requiring further information pertaining to engineering matters.

On 3 January 2024, Trans Mountain filed its responses to IR No. 1 ([C27873](#)).

B. Decision on oral hearing

After considering Trans Mountain's submissions to date, the Commission has determined that it requires further information and will hold an oral hearing on **Friday, 12 January 2024**. The purpose of this oral hearing is for the CER and Commission to ask questions of Trans Mountain in an efficient manner, and Trans Mountain will have a brief opportunity to provide final argument. As such, the Commission is not inviting interested persons to participate in the oral proceeding. Trans Mountain would be expected to be able to speak to all its submissions made on the Variance application to date.

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As per Section D below, interested persons can follow the proceeding via the audio or video feed.

C. Timing, location, and format

The oral hearing will begin at **9:00 am Calgary time (MST)**.

The oral hearing will employ a hybrid format. Those attending in person will do so at the following venue:

CER hearing room
Centre 10, 2nd Floor
517 Tenth Avenue SW
Calgary, Alberta

Those attending the oral hearing remotely will do so via the Microsoft Teams link that will be provided.

D. Broadcast and transcript

Both a live audio and video feed of the oral hearing will be broadcast on the CER's [website](#). The audio media files will be made available for later streaming and downloading.

In addition, written transcripts will be produced and placed on the public registry. The transcripts will form part of the record related to the application.

The Commission advises Trans Mountain that, by appearing at the oral hearing, either remotely or in-person, their participation will be broadcast in the CER's live stream. By entering the hearing room in any format, Trans Mountain is deemed to consent to their audio and video being disclosed on the CER's website.

For any questions, please contact the CER by email at info@cer-rec.gc.ca or by phone at 403-292-4800 or 1-800-899-1265.

Yours sincerely,

Signed by

Ramona Sladic
Secretary of the Commission

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