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October 20, 2014

Ms. Sheri Young  
Secretary of the Board  
National Energy Board  
517-Tenth Avenue S.W.  
Calgary, Alberta T2R 0A7

MAIL ROOM  
SALLE DE COURIER  
2014 OCT 22 A 11:42  
NEB/ONE

Dear Ms. Young,

**Re: 30 Day Comment Period on Proposed Amendments to Regulations for Pipeline Damage Prevention (File Ad-GA-ActsLeg-Fed-NEBA-RRG-DPR 02 01)**

On behalf of Niagara Gas Transmission Limited ("NGTL") and 2193914 Canada Limited, Enbridge Gas Distribution Inc. ("EGD") submits the following comments regarding the National Energy Board's ("NEB") Proposed Amendments to Regulations for Pipeline Damage Prevention.

In general, EGD supports the proposed amendments as written. However, please note the following comments which are provided:

National Energy Board Pipeline Crossing Regulations, Part 1 ("PCR part 1")

- In section 3.(1)(a) it is proposed that the Regulations do not apply to an excavation caused by a pipeline company or its agents or mandataries. Clarification is sought for the rationale behind the addition of the word "mandataries".

National Energy Board Pipeline Crossing Regulations, Part 2 ("PCR part 2")

- In section 3.(1)(a) it is proposed that the Regulations do not apply to an excavation caused by a pipeline company or its agents or mandataries. Clarification is sought for the rationale behind the addition of the word "mandataries".

- In section 4.(b) it is proposed that the pipeline company maintain a damage prevention program that shall include ongoing monitoring of any changes in the use of the land on which a pipeline is located and the lands adjacent to the right-of-way of the pipeline. Further clarity on the meaning of "monitoring" is requested.
- In section 4.(c) it is proposed that the pipeline company maintain a damage prevention program that shall include ongoing monitoring of any changes in the land owner of the lands on which a pipeline is located. Further clarity on the meaning of "monitoring" is requested.
- In section 4.(e) it is proposed that the pipeline company maintain a damage prevention program that shall include standards for locating a pipeline. Further clarity on the meaning of "standards" is requested.

#### Recommendations

In addition to the comments noted above, EGD also offers a recommendation regarding PCR part 1.

It has been proposed that a new section 3.1(1) is added, requiring any person who intends to undertake the construction of a facility across, on, along or under a pipeline to make a locate request at least three working days before the day on which the construction or excavation is to start.

It is recommended that provision be made for provincial regulations which may not align with the three day requirement. In Ontario, under the Ontario Underground Infrastructure Notification System Act, 2012 members are required to make all reasonable attempts to respond to notification of a proposed excavation or dig within five business days.

Yours Truly,



Alexander Hadjis, P. Eng.  
Engineering Project Manager

## FILING RECEIPT | ACCUSÉ DE RÉCEPTION

**The National Energy Board**

517 Tenth Avenue SW  
 Calgary, Alberta  
 T2R 0A8

**L'Office national de l'énergie**

517, Dixième Avenue S.-O.  
 Calgary (Alberta)  
 T2R 0A8

**Filing ID | Id du dépôt : A63634**

**Filing Date | Date du dépôt :**  
 2014/10/20, 12:03 PM MDT | HAR\*  
\*Mountain Daylight Time | heure avancée des Rocheuses

**Submitter Information | Renseignements sur le déposant :**

Stephanie Allman

**Role | Rôle: Other | Autre**

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 North York, ON

On behalf of | Au nom de: Enbridge Gas  
 Distribution Inc. on behalf of 2193914 Canada M2J 1P8  
 Limited and Niagara Gas Transmission Limited  
[stephanie.allman@enbridge.com](mailto:stephanie.allman@enbridge.com)  
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**Filing Information | Renseignements sur le dépôt :**

Project | Projet : Other | Autre  
 Title | Titre : EDGI\_Damage Prevention Proposed Ammendments\_Letter of Comment\_20141020  
 NEB File Number | Numéro de dossier de l'ONÉ :  
 Hearing Order | Numéro d'audience :

**Additional Contact(s) | Accusé transmis par courriel à :**

### Electronic Documents in this submission | Documents électroniques visés par le présent dépôt :

ID   Id du doc.	Document Type   Type de document	File Name   Nom du fichier
A4D4D9	Letter of Comment   Lettre de commentaires	2193914 Canada Limited_Niagara Gas Transmission Limited_Damage Prevention_Letter of Comment_20141020.pdf

### Paper Documents in this submission | Documents sur papier visés par le présent dépôt :

Note | Nota : an electronic placeholder will be generated for each paper-only document. |

une référence électronique sera produite pour chaque document sur papier seulement.

ID   Id du doc.	Document Type   Type de document	Name   Nom
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### Acceptance of Submission/Responsibility

I understand the terms and conditions of submitting electronic documents with the National Energy Board. I waive copyright for use by the NEB and third parties of documents contained in this submission only for the purpose for which the information was provided.

I hereby certify that I have electronically submitted the above documents to the National Energy Board. I also certify that the paper submission attached hereto is complete and contains accurate renditions of the electronic documents listed above and, where applicable, the requisite number of hard copies for each paper document listed above.

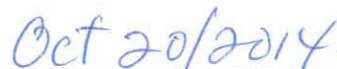


Signature

### Acceptation du dépôt/de la responsabilité

Je comprends les conditions générales concernant le dépôt de documents électroniques à l'Office national de l'énergie. Je renonce aux droits d'auteur en faveur de l'ONÉ et des tierces parties pour qu'ils utilisent les documents contenus dans le présent dépôt aux seules fins pour lesquelles les renseignements ont été fournis.

Je certifie par la présente que j'ai déposé par voie électronique les documents susmentionnés à l'Office national de l'énergie. Je certifie également que les documents sur papier ci-joints sont complets et représentent fidèlement le contenu des documents électroniques mentionnés ci-dessus et, le cas échéant, que j'ai transmis le nombre nécessaire de copies sur papier pour chaque document sur papier susmentionné.



Date