

National Energy
Board



Office national
de l'énergie

File OF-Tolls-Group1-T211-2009-08 01
4 December 2009

Mr. Alex Harris
Manager, Regulatory Services
TransCanada PipeLines Limited
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Ms. Jennifer Scott
Senior Legal Counsel
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TransCanada PipeLines Limited
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Dear Mr. Harris and Ms. Scott:

**TransCanada PipeLines Limited (TransCanada)
Application for 2010 Final Tolls**

The Board has received TransCanada's application dated 23 November 2009, supported by Unopposed Tolls Task Force (TTF) Resolution 10.2009, for approval of 2010 final tolls and changes to the multi-year negotiated Mainline settlement. The Board has also received TransCanada's 27 November 2009 filing correcting errors in certain tolls.

TransCanada requests an Order of the Board:

1. approving revisions to the Settlement as described in unopposed TTF Resolution 10.2009;
2. approving final 2010 Mainline tolls effective 1 January 2010 to 31 December 2010; and
3. such further and other relief as TransCanada may request or the Board may determine appropriate.

The Board is assessing the application and has determined that there is not sufficient time to allow the Board to make its decision on final 2010 tolls by 31 December 2009. Therefore the Board has ordered that TransCanada's tolls be made interim effective 1 January 2010 at the amounts contained in the 23 November 2009 application, as amended by the 27 November 2009 filing. Attached is Order TGI-02-2009.

TransCanada is directed to serve a copy of this letter on all parties to the RH-2-2004 proceeding, its Tolls Task Force and Mainline shippers.

Yours truly,

Anne-Marie Erickson
Acting Secretary of the Board

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ORDER TGI-02-2009

IN THE MATTER OF the *National Energy Board Act* (*Act*) and the regulations made thereunder; and

IN THE MATTER OF an application filed with the National Energy Board by TransCanada PipeLines Limited (TransCanada) dated 23 November 2009 pursuant to Part IV of the *Act* for approval of Mainline final tolls effective 1 January 2010 under file OF-Tolls-Group1-T211-2009-08 01.

BEFORE the Board on 4 December 2009.

WHEREAS the TransCanada filed an application dated 14 March 2007 and supported by unopposed Tolls Task Force (TTF) Resolution 04.2007, and the Board issued Order TG-06-2007 approving TransCanada's multi-year negotiated settlement (Settlement) for Mainline tolls;

AND WHEREAS TransCanada filed an application dated 23 November 2009 for approval of Mainline final tolls effective 1 January 2010, and relies on unopposed TTF Resolution 10.2009;

AND WHEREAS TransCanada filed revisions to certain of these tolls on 27 November 2009;

AND WHEREAS the 23 and 27 November 2009 application and materials from TransCanada were copied to its TTF, RH-2-2004 List of Parties and Mainline Shippers;

AND WHEREAS the Board is in receipt of a letter of comment from Enbridge Gas Distribution Inc. dated 24 November 2009;

AND WHEREAS the Board requires additional time to consider the 23 November 2009 application;

THEREFORE, IT IS ORDERED, pursuant to subsection 19(2) and Part IV of the *Act*, that:

1. TransCanada's current tolls, which were made effective under Toll Order TG-02-2009, be terminated as of the end of the day on 31 December 2009.
2. TransCanada's proposed tolls, as contained in its application dated 23 November 2009 and amended in its 27 November 2009 filing, be implemented effective 1 January 2010 on an interim basis pending any future amending Orders and/or final Order by the Board concerning TransCanada's 2010 Mainline tolls.

NATIONAL ENERGY BOARD

A handwritten signature in black ink that reads "AnneMarie Erickson".

Anne-Marie Erickson
Acting Secretary of the Board