



File OF-Fac-IPL-M180-2015-01 02
21 December 2017

Ms. K. Jennifer Moroz
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Dear Ms. Moroz:

**Hearing Order EH-001-2017 regarding Manitoba Hydro (MH)
Application for Approval of the Manitoba-Minnesota Transmission Project
(MMTP, the Project)
Application of 16 December 2016**

On 16 December 2016, Manitoba Hydro applied to the National Energy Board (the Board) for a permit pursuant to section 58.11 of the *National Energy Board Act* (NEB Act) to construct a 213 kilometre long, 500 kV international power line (IPL) from the Dorsey Converter Station near Rosser, Manitoba to the border of the United States, crossing near Piney, Manitoba. Manitoba Hydro also applied to the Board for approval for certain changes to other IPLs required to accommodate the proposed new IPL.

The MMTP IPL exceeds 345 kV and requires more than 75 km of new right-of-way which means the project falls under the *Canadian Environmental Assessment Act, 2012*,¹ (CEAA 2012) and therefore, must undergo an environmental assessment as set out in CEAA 2012. The Board is the responsible authority under CEAA 2012 to conduct this environmental assessment.

On 19 April 2017, the Board made a decision to continue to assess MMTP with a permit process combined with an environmental assessment process under CEAA 2012 (Permit/CEAA 2012). On 27 June 2017, the Board issued a Notification - Registration to Participate in the CEAA 2012 Environmental Assessment of the Manitoba-Minnesota Transmission Project to provide the public with an opportunity to participate in the environmental assessment of the Project under CEAA 2012. The Board received eight Registrations to Participate in the CEAA 2012 Environmental Assessment of MMTP by the closing of the registration period on 15 August 2017.

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¹ S.C. 2012, c. 19, s.52.

Manitoba Hydro also applied to the province and on 31 December 2015, the Manitoba Minister of Conservation and Water Stewardship requested that the Manitoba Clean Environment Commission (CEC) hold a public hearing on the proposed Project. The CEC's Report on the Public hearing with respect to the Project (Report) was filed with the Board on 12 October 2017.

The Board will seek to avoid duplication of measures taken in respect of the applied-for IPL by the applicant and by the province of Manitoba. Avoidance of duplication of effort is achievable by incorporating the record created in the CEC hearing, and the report produced by the CEC as a result of that record. Moreover, the Board will focus its assessment on the matters set out in CEAA 2012 and the NEB Act, as required.

Based on new information, on 31 October 2017, the Board recommended to the Minister, Natural Resources Canada, pursuant to subsection 58.14 (1) of the NEB Act that the Project be designated by order of the Governor in Council under section 58.15 of the NEB Act as an IPL that is to be constructed and operated in accordance with a certificate issued under section 58.16 of the NEB Act. [[Letter to Minister of Natural Resources Canada](#)]

On 15 December 2017, Governor in Council issued an order under section 58.15 designating the IPL under section 58.16 of the NEB Act that MMTP will be assessed under the Certificate provision of the NEB Act. The Board notes that, should the Board issue a certificate, subject to the approval of the Governor in Council, the application of provincial law for the ongoing operation of the IPL would continue to apply as set out in the NEB Act.

The Board is now issuing the attached Hearing Order EH-001-2017 (Hearing Order) The Hearing Order explains the procedures that will be followed for the assessment of this application. In the Hearing Order, the Board states that the Application is complete and set the time limit for the Board to make its decision about the issuance of a certificate.

Manitoba Hydro is directed to serve a copy of the Hearing Order and its Appendices on all persons or agencies listed in Schedule A in the official language of their choice by **2 January 2018**.

The Board requires Manitoba Hydro to:

- a) publish the Notice of Hearing (Schedule A) in each of the publications listed below by **2 January 2018**;
- b) ensure the published Notice of Hearing meets the requirements of the Government of Canada's Federal Identity Program (for assistance please contact FIP@neb-one.gc.ca);
- c) submit to the Board a complete list of dates when the Notice of Hearing was published **immediately after all notices have been published**; and,
- d) serve a copy of the Notice of Hearing to the following:
 1. participants in the provincial Clean Environment Commission (CEC) proceeding;
 2. neighbouring jurisdictions;
 3. Manitoba Hydro's Interested Parties list;

4. municipalities and first responders in the vicinity of the proposed route;
5. Aboriginal groups on the list provided by the Major Projects Management Office (MPMO);
6. Registered Participants by the Board in the MMTP Permit/CEAA 2012 letter of 6 September 2017; and,
7. The persons or agencies listed in the official language of their choice in Appendix B to this letter.

In addition to the above, Manitoba Hydro is directed to:

1. Post the Notification on its external project website; and;
2. Publish the Notification in the following papers (no later than 2 January 2018):

Publication	Category	Location
Globe and Mail	English	National
Winnipeg Free Press	English	Winnipeg
La Liberté	French	Winnipeg
Winnipeg Sun	English	Winnipeg

If you have any questions regarding this Hearing Order, please contact the Board's Process Advisor for this Project, Matt Groza, at e-mail: MMTP.ProcessHelp@neb-one.gc.ca or call (toll free) 1-800-899-1265.

Yours truly,

Original signed by L. George for

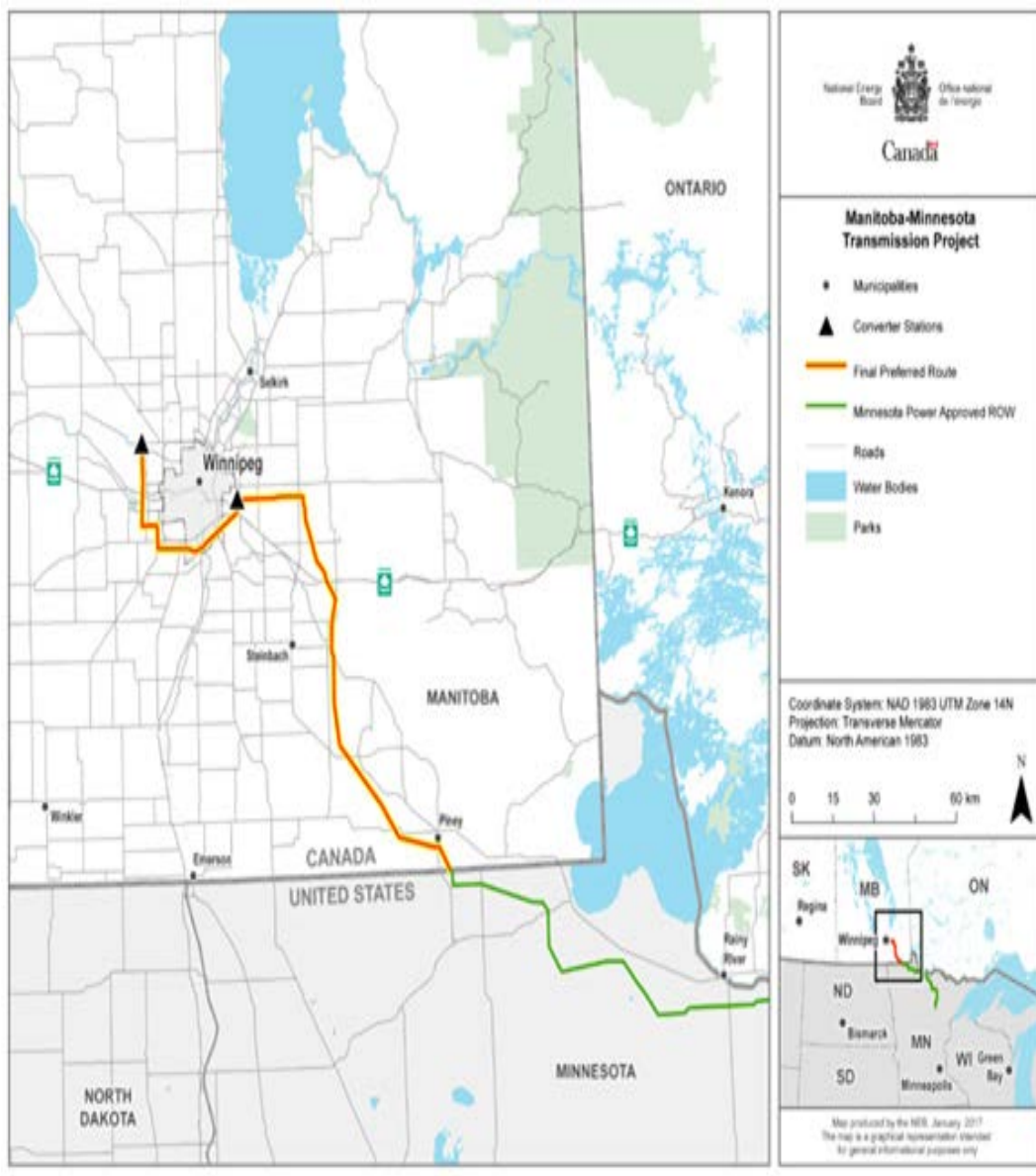
Sheri Young
Secretary of the Board

Attachments

Appendix A

Notice of Public Hearing and Application to Participate Manitoba-Minnesota Transmission Project (MMTP)

The National Energy Board (NEB), has received an application from Manitoba Hydro for a permit pursuant to section 58.11 of the NEB Act to construct a 213 kilometre long, 500 kV international power line (IPL) from the Dorsey Converter Station near Rosser, Manitoba to the border of the United States, crossing near Piney, Manitoba. Also Manitoba Hydro has applied to us for approval for certain changes to other IPLs required to accommodate the proposed new IPL.



Participating in the Hearing

The NEB will hold a public hearing for the Manitoba-Minnesota Transmission Project and will conduct an environmental assessment pursuant to the *Canadian Environmental Assessment Act, 2012*.

The NEB may hear from anyone directly affected by the project and may hear from those who have relevant information or expertise.

If you wish to participate and you did not register in August 2017, you must apply to participate by submitting an online application form. If you participated in the provincial process for MMTP, you may not need to participate in the NEB process since information from the provincial process has been filed with the NEB. The List of Issues for the Project is available on the Board's website and will be part of the form. There are typically two ways you can participate in a hearing:

Commenter - share your views on the project with the NEB in a written Letter of Comment.

Intervenor - ask questions, present evidence, answer questions about your evidence, and give a final argument. Intervenors may be eligible for participant funding. Learn more at www.neb-one.gc.ca/pfp.

The Application to Participate form will be posted at www.neb-one.gc.ca/applytoparticipate starting 2 January 2018. The deadline for applying is 23 January 2018 (12 midnight, Calgary time, Calgary, Alberta). The NEB will consider each application and will inform everyone who applied whether or not they will be allowed to participate, and how.

Need Help?



www.neb-one.gc.ca



email to: MMTP.processhelp@neb-one.gc.ca



1-800-899-1265

The National Energy Board is an independent federal regulator of several parts of Canada's energy industry with the safety of Canadians and protection of the environment, regulate pipelines, energy development and trade in the Canadian public interest.

Appendix B / Annexe B

List of Interested Persons to be Served / Liste de personnes intéressées à server

**National Energy Board Public Hearing / Office national de l'énergie
Manitoba-Minnesota Transmission Project / EH-001-2017
Projet de transport d'électricité Manitoba-Minnesota / EH-001-2017**

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