

Affidavit of Louise Lanteigne

I Louise Lanteigne of the City of Waterloo in the Region of Waterloo in Ontario MAKE OATH AND SAY:

1. I am a resident of Waterloo Ontario. I am a Mi'kmaq Acadian Metis mother who has been actively involved with protection of the environment since 2002 as a concerned citizen. I have years of experience raising concerns using public processes afforded to me by local, provincial and federal governments to help protect communities, water supplies, prevent pollution and to protect habitats of endangered species. I have initiated an Ontario Municipal Board process and secured concessions to protect water supplies with OMB appeal PL071044. I have used Part II order requests for Hidden Valley in Kitchener Ontario and in Cambridge Ontario regarding an area known as Barrie's Lake to protect municipal groundwater from contamination by protecting endangered species habitats. I secured two Environmental Bill of Rights reviews, one for a Waterloo Moraine Act in 2006, and one calling for a standardized provincial oil spills response protocol for municipalities which is scheduled to be completed by March 2016. As a result of the successful advocacy I was the subject of several master's thesis at the University of Waterloo and Wilfrid Laurier and have been guest speaker at many events educating people on effective advocacy and source water protection issues.

2. I hired and worked directly with experts who were senior hydrologists, ichthyologists and experts on endangered species including Senior Hydrologist Stan Denhoed and Dr. Dean Fitzgerald. I attended numerous scientific workshops specific to source water protection including the Grand River Watershed forums and workshops at Western University and University of Waterloo and Wilfrid Laurier. I toured the Paris Galt Moraine with the Canadian Geological Survey's experts including Hazen Russel, David Sharp and Andy Bajc. I spent many years discussing issues of the Waterloo Moraine with world renowned experts like Professor Emeritus Emil Frind and Quaternary Geologists Professor Emeritus Alan Morgan from the University of Waterloo. This experience is directly relevant to this planning matter of Line 9.

3. **Attachment 1** I first learned about Aamjiwnaang and Ontario's oil refining in Sarnia a report published by Environmental Defense published in February 2008 called Canada's Toxic Tar Sands: the most Destructive Project on Earth.

4. **Attachment 1 Page 18** it states;

The area around Sarnia is known as Canada's "Chemical Valley" because of its concentration of large polluting industry. Despite being thousands of kilometers from the Tar Sands, the negative impacts are felt even here.

At 70,000 barrels per day, the Suncor Sarnia refinery that processes Tar Sands oil is the fourth largest polluter in the region, sending out over 10 million kilograms of toxic air pollutants in 2005. But, the Suncor refinery is ranked number one in the Region in terms of the chemicals releases that are known or suspected to be reproductive or developmental toxins.

5. **Attachment 1 Page 20** it states:

The Aamjiwnaang First Nation in Chemical Valley is experiencing disturbing impacts from the pollution as twice as many girls are being born as boys. Moore Township next to the reserve is also experiencing a lower male birth rate, and scientists have found evidence of “feminized” turtles in the St. Clair River that runs through the area. It is not known, however, what exactly is causing these results, and many types of heavy industry exist there.

Shell is building a new refinery for Tar Sands oil in the Sarnia area that will be two to three times bigger than the Suncor plant thereby significantly adding to the pollution of the area.

6. **Attachment 1 Page 19** I noticed a line representing Line 9 oil pipeline is drawn on a map however it is illustrated as being far higher north than the actual Line 9 crosses and

7. **Attachment 2 and Attachment 3** are maps of the National Energy Board that show a more accurate depiction of Line 9's location and surrounding municipalities.

9. **Attachment 4** In February 8, 2011, I attended an open house in Cambridge Ontario regarding the reversal of Line 9. The event was hosted by the National Energy Board and we were being filmed the whole time. There were only 8 people there including my husband and I. I wrote a letter to Angela Bischoff from the Ontario Clean Air Alliance with details of the meeting. At that meeting I learned that Enbridge tried to bypass the public hearing process.

10. **Attachment 4** chronicles the questions I asked the NEB representatives about the hearing process. I voiced concern about the Harper Government and the way the system tries to discredit experts and concerned citizens who speak out on issues. Here is the passage that refers to this:

I asked them, if we as citizens give reference to expert reports, is that considered hearsay. They stated yes. I stated, "That means the tribunal gives a higher value the testimony of experts above that of average citizens." They confirmed yes saying that experts could be questioned and can support their claims. I looked at them and basically stated their system was fundamentally flawed because not a scientist in their right mind would risk their career or research funding to give volunteer testimony in a public forum like this. It would ruin their reputation. They are considered biased to even show up so in essence, unless they are actually paid for we're essentially depriving them of their democratic rights to participate due to the current chill of the Harper government and of the scientific and business community. I asked them, does the option exist to summon experts? They said yes it has been done before but it is very rare. I asked them, is there a way we can facilitate a way to allow for the disclosure of expert comments without having to professionally expose them in to avoid backlash? Perhaps the NEB could provide an ID number rather than name names in the public documents. She said they are open to suggestions of this nature and they requested I write that concern in.

This entire meeting was being filmed. After the meeting, the camera man came to me and asked that I speak on camera regarding my concerns on expert testimony. I agreed basically relaying the above statements. I stated that as a democracy, our nation values debate to achieve the highest level of

knowledge prior to make decisions but if we don't facilitate the way for our experts to speak than we create inferior system when we place the burden on common citizens to provide the counter arguments based on hearsay. We can't reasonably advance towards the best decision in that kind of environment and it creates a far greater risk as a result. The camera man asked me if I knew of any experts who were subject to backlash as a result of participating in a public process. He was quite literally trying to get me to name names on camera. I told him I won't give those names but instead I told him my story. I was sued for the wording of a city council speech posted online in a website that had three years of photos featuring oil and diesel spills in Waterloo Region that I witnessed. The site was created because the MOE wanted the photos and I had too many to email. This resulted in a 2 million dollar SLAPP lawsuit in attempt to silence my voice. Imagine what happens to concerned scientists who volunteer their time to speak out against them in a public forum like the NEB! Those with money use it to silence opposition. The chill factor is very real.

11. **Attachment 4** I witnessed another person at the meeting raised concerns on the lack of protocols at the Regional level to address a potential oil spill. She used Freedom of Information to find out what the protocols for a Regional response are only to find out there are no actual protocols in place.

12. **Attachment 5** The application of the Line 9 Reversal Phase I Project as submitted by Chantal Robert of Enbridge Pipelines Inc. on August 8, 2011. **On Page 2** Enbridge explains the scope of the EA is limited to only the area of the actual pumping stations. They state in the application form

Brief Description of Work:

The Project will require pump and piping modifications at Sarnia terminal, North Westover Station, and Westover Terminal. Existing station and booster pumps at Sarnia will be used to inject down Line 9 (Sarnia to Westover). Separate booster pumps and a station pump will be used to inject down Line 9 (Sarnia to refineries). Additional valves and piping will be installed at these stations as needed and a replacement pig trap at Sarnia will be required to accommodate current inline inspection tools. Also, two existing densitometers will be replaced; one is inside of the North Westover Station boundaries and the other is 4.12 km west. A new electrical building will be built at the Westover Station.

13. **Attachment 5 page 1** Enbridge requested a facilities exemption order. It states:

Section 58 - facilities exemption order Enbridge Pipelines Inc. ("Enbridge") submits that any potential adverse environmental or socio-economic effects are not likely significant, and are outweighed by the benefits of the Line 9 Reversal Phase I Project between Sarnia and North Westover ("Project"). Furthermore, these effects will not be a cause for public concern. Therefore, Enbridge requests exemption from the provisions of paragraph 30 (1)(b), and sections 31 and 47 of the NEB Act in regards to the Project.

14. **Attachment 6** Sept. 2011, I sent a letter of comment to the NEB which states the following:

I am writing regarding Enbridge's proposed Line 9 Reversal (A30643) filed with the National Energy Board in August.

I do not believe that the request for a facilities exemption order is appropriate for this project, and urge the NEB to instead require Enbridge to provide a more detailed application and to hold public hearings on the proposal.

I am concerned that the project would increase the amount of tar sands oil in Ontario, which creates more greenhouse gas emissions than conventional oil and is more corrosive and dangerous to transport. It would also threaten Ontario's energy security by limiting our sources of oil.

Please use your regulatory authority to ensure a transparent, comprehensive review of the proposed pipeline reversal that considers the interests of First Nations, landowners and the public.

15. **Attachment 7** December 20, 2011, I receive an email from the National Energy Board's Anne Losier notifying me of the fact Enbridge filed their application for Line 9. It gives reference to **Attachment 8** a weblink to File OF-Fac-Oil-E101-2011-01 01 dated 19 December 2011, a letter from the NEB's Chantal Robert and solicitor Francis Durnford of Enbridge Pipeline.

16. **Attachment 8 page 2** section 2.1 Preamble it states the following:

In reference i), Enbridge indicates that the following potentially affected parties have been consulted and there are no outstanding concerns with the Project: landowners and/or tenants; residents; land users; municipalities; and Provincial and Federal departments.

Enbridge further indicates in reference i) that there are no potentially affected Aboriginal groups or Non-Governmental Organizations.

In reference ii), Enbridge states that it has engaged some stakeholders since filing its Application.

17. **Attachment 9** Feb 3, 2012 I applied to be a delegate at the Line 9 hearing.

18. May 23, 2012 I drove to London Ontario to attend the Line 9 reversal hearing. Since I arrived early I left the building and walked to nearby cafe to grab some coffee. I was carrying my NEB affidavit and power point presentation and cell phone in a leather portfolio. When I went to pay for my coffee at the counter, I put the portfolio down on the counter to get money from my purse. I paid for my coffee and took my seat. I realized my portfolio was missing and the staff and I looked everywhere for it but it was gone. Someone took it. I filed a formal report with the London Police.

19. When I returned to the hotel of the hearing I asked one of the policing officials if I may speak with the NEB staff for a moment to notify them about what happened because I could not present without my documents. The officer agreed to help and he guided me through the hotel and led me to a room that was being guarded. He knocked on the door and it was answered by a man. Over the shoulder I could see many people sharing the room with him. I told him my portfolio was stolen, that I would not be able to present today and he took my name then I was escorted back to the main foyer.

20. When the hearing began and I saw the NEB Board Members and oil executives for the first time and then I realized they were the same people I saw sharing the same hotel room.

21. As the hearing began I witnessed a man stand up and yell statements that were repeated by other people in the room. I didn't know what was happening but I later found they call this method of protest a "sound-check".

22. I witnessed Ruby and Floyd Montour come forth in formal regalia to announce there was no consultation with Six Nations at all regarding this pipeline hearing. I recognized them from watching local news but never met them before this day. Ruby Montour said they were not notified about this hearing until the last minute and it was too late for them to formally register as delegates but they want the NEB to permit them the ability to speak.

23. **Attachment 10** is an article titled What is so "Public" About the Enbridge Hearings?! Written by Ian Cary of the Outreach Project which was published in the Huffington Post on May 29, 2012 which speaks of the concerns of the Montour at the NEB and the lack of First Nation's consultation.

24. As the Montours spoke I witnessed the NEB board members and oil executives rise up and leave the room heavily guarded by security even though there was no actual threat of harm. It appeared theatrical.

25. When Mrs. Montour was done speaking, the only people left were the delegates and audience members in the room. I didn't know what to do so I stood up and I told the crowd that Six Nations is downstream of the Grand River where Line 9 crosses. They should have a say.

26. Without any hearing, the people started to mingle. One lady came up to me and said she was a reporter for the NY times and wanted to interview me so I gave her an interview.

27. I sat with the other delegates at the hotel, waiting for some sort of instruction on what to do. Everybody else left except for a couple of folks who were just waiting around. Eventually the NEB board members sent word that the hearing would continue so we started up again.

28. **Attachment 11 page 1** In Transcript of OH-5-2011 Hearing Transcript Vol. 1. the NEB stated the following:

The Board has decided that only registered parties and accredited media people are invited to stay. So at this time we're going to ask any remaining people not affiliated with one of the registered parties or accredited media people to leave the room now.

29. **Attachment 11 page 1** Albert Koehl of Ecojustice stated the following

Members of the public who are here, who do want to listen, who have not been identified as having disrupted the hearings, we certainly suggest and urge you to have those members of the public be allowed to remain in attendance.

30. **Attachment 11 page 2**, I said the following statement to the NEB chairs:

I'm an environmental activist, as well as a person who follows protocol and procedure, but I wouldn't mind extending an invite if people promise to comply with proper procedure.

31. **Attachment 11 page 3** Scott Smith, counsel to Aamjiwnaang First Nation states:

Aamjiwnaang just wanted to express its concerns with excluding members of the public that haven't been identified as disrupting the proceedings. We understand that there are other Aboriginal peoples here today to hear the public hearing that's before the Board that weren't involved in the disruption and I think it would be very important for those Aboriginal peoples to be able to sit with us today and hear the final oral argument on Enbridge's application.

So Aamjiwnaang respectfully requests the Board to allow members of the public that haven't been identified as causing a disruption to be able to sit with us here today and to hear final argument before the Board.

32. **Attachment 11 page 3** I stated the following to the NEB

If they act up, I won't speak. They want the environmental issue represented; they better work in compliance to the rule. Give them a real stake

33. **Attachment 11 page 4** In response, the NEB stated:

THE CHAIRMAN: Given the difficulty to identify the members of the public that were disruptive or not, we're in a bit of a bind here. Because we try and make our process as accessible to the public as much as possible but we must also balance this with safety concerns. I think we'll compromise a bit on this. So if you know -- if any of the registered intervenors here personally know of people or know people that are affiliated with you in some manner or have legitimate interests and will not be disruptive, you may invite them to observe with the assistance of, I guess, security.

34. In truth I didn't personally know single soul at that hearing at all. I was a stranger to these people but I had enough faith in common sense to simply ask people outside the room to please follow the rules so we can do our best to voice our concerns. I told them I worked very hard on my presentation and I drove in from Waterloo to be here and it would be a shame if I cannot present it because somebody yells or something. Please behave. There were no further disruptions after that for the duration of these hearings.

35. **Attachment 12** File C-15-3B, Addendum IR, the power point of my NEB presentation is which focused on geological risks of the Waterloo Moraine and what the economic costs would be if there was a spill.

36. **Attachment 13** is the oral transcript of my presentation to the NEB.

37. **Attachment 14** Enbridge Response to Louise Lanteigne Information Request No. 1 File OF-Fac-Oil-E101-2011-01 1 are Documents I secured from Enbridge during the NEB process confirmed aerial monitoring was taking place once every two weeks to look for spills and in creek pipe surveys were done only once every 5 years.

38. **Attachment 14 page 1 and 2.** At the time of the Enbridge Line 9 Reversal Phase 1 Project, the applicable Environmental Assessment Legislation that applied to this hearing process was the Canadian Environmental Assessment Act S.C 1992. I framed my line of questioning during the NEB process around this specific policy.

39. **Attachment 14 page 3** Enbridge admits the following facts:

- They conduct aerial patrols approximately every 2 week
- River bottom surveys take place once every 5 years
- The International Joint Committee was not contacted or informed of the Project

40. **Attachment 14 page 3** Enbridge failed to disclose any actual amount the pipeline was insured for. They responded to my questions on insurance with this statement:

Enbridge maintains insurance that responds to Enbridge's legal liability for property damage arising from its operations, including cleanup and remediation associated with environmental damage resulting from a sudden and accidental release of pollutants. Enbridge maintains insurance coverage and limits that are consistent with industry best practices and that are adequate and appropriate. Continuous assessment of risk exposures from operational activities, potential loss scenarios and availability of coverage in the marketplace assist in determining insurance limits.

41. **Attachment 12 pages 2 and 3** in my power point presentation for the Line 9 phase 1 hearing reference the fact we lack a National Water Strategy and notes how the MNR and Provincial regulators have a conflict when it comes to the management of water because because they generate revenues from resources that consume and pollute it.

42. **Attachment 12 pages 4 through 15** describe the unique geology of the Waterloo Moraine and the economic systems dependent on it. This pipeline poses unusual risks due to our complex layout of sediment of our aquifers. Even if a spill happens on one side of a hill it can contaminate the water supply on communities located on the other side because our aquifers are connected underground. Contamination in our area tends to flows to the nearest wells regardless of topography. How do we isolate and clean up a spill if it contaminates our highly interconnected aquifers underground?

43. **Attachment 12 page 18** states: To protect communities and the economy, realistically assess the monetary risks and let us make source water protection the highest priority.

44. **Attachment 13 On page 11** In my oral presentation at the Line 9 hearing I stated:

Now, we know how much water we take from the moraine every day. We have a number value. We

know it costs at least a penny to treat a liter. So at that pricing, we can reasonably state that 1 percent of the Waterloo Moraine, valued at one cent per litre -- I should say 1 percent of our water supply valued at one cent per litre equals \$18,184 a day. It's an easy rubric. So annually, what does that mean? Six point six million dollars (\$6.6 million) annually for only 1 percent of our water supply. Now, if a spill happens, like, if we lose 1 percent of our moraine, we're looking at \$6.6 million every year we don't have access to that water. Now, if the spill renders those wells useless, it could be in perpetuity. We don't know what the clean-up would be like in a multi-tiered aquifer system, if we can even isolate, if we can even re-remediate. But the more damage there is, the higher the cost we'll have to pay. That's just one cent per litre of 1 percent of our water supply.

45. Attachment 12 page 12 I stated:

The Mennonites have been in our area for over 100 years. And when they first came here, they irrigated their fields by hand, using wells that they dug themselves right in the field. And obviously, as technology improved, those wells were no longer needed, so they capped them with plywood or with rocks, and covered them with dirt. So if you have this pipeline going through a field where there is a buried well that is not properly capped, you're talking the potential for deep water aquifer contamination in a very, very short rate.

So we need to be extra diligent about doing potentially ground-penetrating radar to check for old wells in proximity to these pipe systems so that we prevent aquifer contamination.

46. Attachment 13 page 14 and 15 I stated:

I think the most productive contribution we could make is establish guidelines on what constitutes as reasonable baseline data. That must include standardized units of measurements.

Industry will go for whatever standard they think is most cost-effective to get an approval, not necessarily the one that's most reasonable to prevent risk. So the criteria for what constitutes as a reasonable analysis must be mandated because it's usually not done by choice. It's expensive to do it right.

Good baseline data must clearly have the ability to prove causality, because if the baseline data is flimsy, it's really hard to prove who's responsible after the spills. So good baseline data must clearly have the ability to prove causality.

Hold engineering firms liable for the quality of their work. And that could be done by oil companies holding a cheque. Before you sign off, agree on a good-faith cheque, and if a spill happens and it's linked to their engineering work, you can cash that

So there has to be some kind of motive for them to do the best work for you, because right now what happens is when the pipes break, and it's not the pipe, it's not the product that caused it, it's the geology, there has to be some responsibility for the guy who did the study for you. And so hold that cheque as a measure to secure that they do their best work, that if they screw up, they lose the money they made off of that contract. And we'll see a better quality of information as a result. Okay?

I think that the burden of responsibility must be reasonably carried by all those who are responsible for the circumstance. It's not the content of the pipe we're talking about here. If it's water, if it's oil, it doesn't matter. Baseline engineering of environmental impact studies must have some measure of insurance to prove that the quality of work has been reasonably done

47. At the end of the hearing on May 24, 2012, Enbridge's Staff and the Ecojustice solicitor shook my hand to thank me for the recommendation I gave about holding a check worth the value of the engineering company doing the baseline data for approvals. I was happy to be able to relay the concept to them.

48. **Attachment 15** the Canadian Government under Prime Minister Stephen Harper pass Omnibus Bill C-38 on June 13, 2012. This bill gave the government in power the ability to veto NEB decisions and it removed the Canadian Environmental Assessment Act from NEB processes and gave the NEB Federal jurisdiction of pipelines that cross navigable waters. I recorded the specific policies Bill C-38 altered that directly relate to the Enbridge Line 9 process.

49. **Attachment 16** On June 14, 2012 one day after the Omnibus Bill was passed, Former Tory MP Chuck Strahl was appointed on June 14, 2012, as a Member of the Security Intelligence Review Committee (SIRC), an agency which provides Parliament and the Canadian public with an external review of the Canadian Security Intelligence Service (CSIS).

50. **Attachment 17** On July 27th 2012 the National Energy Board approved of the Line 9 phase 1 reversal from Sarnia to Westover with decision OH-005-2011.

51. **Attachment 18** Using Access to Information I secured documents on October 31, 2014 that illustrated how the National Energy Board's decision was made regarding the Line 9 phase 1 process. It is noted in an email from Darcie Harding to the DL Hearing Manager's Community. This document is dated July 27, 2012 and confirms the following:

- There were 44,000 letters of comment yet only 18 people were delegates
- The Environmental Screening Report was converted from Canadian Environmental Assessment Act to an NEB Act Environmental Assessment Report. (NOTE: this was done after the hearing but it influenced this decision. Since the Harper Government had veto over NEB decisions, they now had full control over the outcome of the EA.)
- No Federal authority was acting as the Crown to facilitate Crown consultation with First Nations.
- The Line 9 decision is completely blacked out.
- The NEB affirms the process used “condensed time line” and “tight timelines”

- The NEB states under the category “Successes/Learnings” : Having only final oral argument and no cross examination worked well in this case due to the highly technical issues regarding engineering and integrity.

52. **Attachment 19 Plastic Not Fantastic is a report** by Waterloo Collegiate Institute student Daniel Burd published on April 20 2008 which I found after the Line 9 phase 1 hearing. It flagged the fact that two natural bacteria found in Waterloo Region's soil eats PE tape at an alarming rate. He isolated these two bacteria and adjusted temperatures and fed them PE plastic bags resulting in 43% degradation of the plastic in just 6 weeks time. The PE tape used to prevent rust on pipelines is made of this kind of plastic. The rupture of the Enbridge Pipeline in Kalamazoo happened because of the failure of the PE tape to prevent corrosion.

53. **Attachment 20** Earthquake zones in Eastern Canada dated April 16 2013 is produced by Natural Resources Canada and illustrates the earthquakes that have occurred in Southern Ontario and Quebec.

54. **Attachment 21. On page 5** US Geological Survey report titled the ShakeOut Scenario Supplemental by Donald Ballantyne MMI Engineering May 2008 states:

Historically, steel pipelines with high quality electric arc welded joints perform very well in this shaking environment. Pipelines with joints using oxy-acetylene welds can have failure rates nearly 100 times greater than those with electric arc welded joints.

55. **Attachment 22** I sent a power point of all the pipeline risks I identified from the climate change variables to the earthquake issue and emailed it to Solicitors at Enbridge on February 15, 2013. This was done outside any NEB process. I was simply to relay the concerns in good faith to help prevent spills. The initial email was sent to Mr. Durnford but was transferred to Solicitor Margery Fowke.

56. **Attachment 22 page 3** March 06,2013 I asked Enbridge's solicitor the following question.

The Omnibus Bill's outcome is that it negated the need to install shut off valves for oil pipes crossing tributaries. Procedurally I'm wondering if Enbridge is bound to still install those shut off valves seeing that the NEB gave their OK during the time the Navigable Waters Act was still in effect. In my view we really need those valves in there, particularly with the nature of flooding we've had along the Nith River.

57. **Attachment 22 page 1** April 3, 2013 Enbridge' solicitor Margery Fowke states:

Enbridge stated in the 9A proceeding, Enbridge's Operational Risk Management liquid mainline risk assessment model had identified the need for remote-controlled valves and had determined that remote-controlled valves were needed regardless of whether the pipeline was reversed or not.

58. **Attachment 22 page 2** April 3, 2013 Solicitor Margery Fowke states:

As part of the IVP methodology, Enbridge is currently looking at installing a valve on the west side of the Grand River in 2013. This work would be independent of the Line 9B Reversal and Line 9 Capacity Expansion Project.

59. At that point I realized that even with the Navigable Water's Act in place, the Grand River lacked a valve on the West Side. The Navigable Water's Act demanded two valves be placed either side of all major waterways but this flags the fact they did not comply with this mandate for the Grand River even when the law was in effect.

I submitted these emails as evidence at the Line 9 B hearing.

60. **Attachment 23** The PDF of the information I provided to Enbridge on February 15, 2013 was sent to the NEB and elected officials.

61. **Attachment 24** I registered to be a delegate at the Line 9 B hearings on April 17, 2013 and this was done using a new 10 page application form required by the NEB so they can scrutinize who can and cannot participate as a delegate.

62. **Attachment 25** is my written sworn evidence submitted for the Line 9 B hearing and references the information provided in **Attachments 18 through 23**

63. **Attachment 26** My oral presentation at the Line 9 B hearings in Toronto on October 16, 2013 can be viewed in the Transcript of NEB Hearing Order OH-002-2013 Volume 5 .

64. **Attachment 26 page 2** states the following:

Now, there was concern raised about a corridor previously, in regards to one of our earlier speakers mentioned Hilton to Cardinal, suffered a lot of anomalies along the pipeline. I would like to emphasize that the area that she had mentioned is very dense with seismic activity. So there's -- they may be a correlation into the incidences of pipeline anomalies with that particular zone that is crossing Lake Ontario in the map. I wanted to give reference to that.

So the map shows locations of seismic activity in Eastern Canada within the same area as Enbridge Line 9.

“Each year, approximately 450 earthquakes occur in Eastern Canada.” (as read)

It also gives reference to the fact that over each decade, there is an average of three earthquakes over Magnitude 5.

A recent example of Magnitude 5 or higher in Eastern Ontario includes June 23rd, 2010 when a Magnitude 5 earthquake took place in Buckingham, Quebec. And on May 17th, 2013 this year, there was a Magnitude 5.2 earthquake in the Ottawa Valley that was felt all the way to Toronto.

“An earthquake occurs in Western Quebec seismic zone every five days on average.” (As read)

Every five days there is an earthquake. Whether or not people feel it is irrelevant to the fact they’re taking place and it could have a structural effect.

65. **Attachment 26 page 5** it states;

In paragraph 8, on February 13th, 2013, an article titled “Enbridge Officials Grilled About Pipeline Plan”, Mr. Ken Hall, Senior Advisor of Public Affairs for Enbridge was quoted saying the following: “The way we look at our pipeline is that it basically doesn’t have a lifetime -- it is indefinite. It is only that way because you have to take care of it. If we maintain our pipeline out there, it can last for hundreds of years.

66. **Attachment 26 page 5** I stated the following:

C55-2-7 is a page -- the Web site of the Canadian Energy Pipeline Association’s Web site regarding the history of pipeline. It states, last sentence of the first paragraph:

“In 1862 Canada would complete one of the world’s first pipeline, from the Petrolia oil field in Petrolia Ontario to Sarnia.”

Same page, first line, second paragraph states “By 1947 only three oil pipelines moved product to market...”

Based on the information provided by the Canadian Energy Pipeline Association, it is reasonable to state that there is a lack of empirical evidence to suggest that an oil pipeline can function for “hundreds of years”.

67. **Attachment 26 page 5 and 6** states:

“Enbridge Officials Grilled about pipeline plan”, Senior Advisor of Public Affairs Ken Hall states: “Shutoff valves are not on non-navigable waters”.

Okay, that’s absolute. He says they “are not on non-navigable waters”. That’s straight from Enbridge. It -- does not give exception.

(NOTE: If they are not on non-navigable Waters, why is there a valve beside the Nith River which is a non-navigable Water body?)

68. **Attachment 26 page 6 and 7** states the following:

C55-2-8, Item 26. When the federal government approved the Omnibus Bill C-45, they removed 90 percent of Canada’s tributaries that were previously protected by the Navigable Waters Act, including reaches of the Grand River and other tributaries that flow where Enbridge Line 9 crosses.

The vote for -- for Bill C-45 happened without reasonable scientific evidence to support the abolishment of the protective legislation. It passed without proper consultation with First Nations communities, which is, in my view, illogical, unethical and unlawful.

I sent an email on February 15th, 2013 to Enbridge solicitor Mr. Durnford, inquiring about the location of shutoff valves and the location of the nearest emergency response team should a spill impact the Grand or the Nith River where I live.

Solicitor Margery Fowke responded in an email sent on March 15th, 2013, C55-2-9 sections 1 and 2 at the top of the page. She states: "Enbridge has an isolation valve on the east side of the Grand River and an isolation valve 4.8 kilometres, that's 3 miles to the west of the Nith River."

She also wrote: "Enbridge has an emergency response team in Flamborough. This is the closest response team."

According to MapQuest, it is a 45-minute drive to get from Flamborough to Ayr, where the pipeline crosses the Grand River, and it is reasonable to state the driving time from Flamborough to reach the shutoff valve 4.8 kilometres to the west of the Nith, would take over one hour. The Nith is the bottom river on the left-hand side.

C55-2-6 page 1, is the last sentence of the article. In the article "Enbridge Officials Grilled About Pipeline Plan", Barry Callele, Director of Pipeline Control Systems and Leak Detection at Enbridge said:

"A leak of 2 percent of the pipeline would release approximately 14,000 litres in 5 minutes. The capacity of the line is 300,000 barrels a day."

Using that math in a scenario for the Grand River, an hour of leak of 2 percent of the pipeline equals 168 -- 168,000 litres, so roughly 1,057 barrels of oil. That's one hour. That's just the drive.

Section 3, drinking water protection; the Grand River is the main water supply for Brant, Brantford and Six Nations. Brantford only has a reservoir capacity of two days. Should the intake of the Grand be closed for an extended period of time, these communities would be challenged to find an alternative water supply. That's for their whole community.

69 **Attachment 26 page 8-9** states:

- Toronto's Future Weather and Climate Driver Study states there will be 80% more rain in July and 50% more rain in August by 2040.
- I secured a written response from Enbridge regarding their Integrity Management System. To monitor pipes, they conduct aerial patrols approximately every two weeks, underwater survey of water body crossings and depth of cover surveys. They state in the last paragraph: "Such

surveys are generally conducted at five year intervals."

NOTE: I provided examples in my testimony of several pipeline ruptures caused by floods and heavy rainfall which triggered ground movement on the right of-way.

70. Attachment 26 Page 11 and 12 I stated:

They had a lack of data regarding unpredictable sediment composition of complex multilayered aquifers such as the Paris Galt and the Waterloo Moraine. Back in the seventies, many believed if you put a gas on sandy soil it magically evaporated, not realizing they were actually contaminating bedrock aquifers. So we've come a long way in terms of hydrogeological analysis and the assessment of contamination risk. The need is there to revisit the baseline data that allowed this pipe. We need new bore holes, new sediment studies, 12-month creek analysis and updated flow and flow rates if we are to plan with regard to the actual post development impacts since 1976.

The fate of our municipal water supplies should not be left to the discretion of companies or engineering firms who choose to use outdated data to save a buck.

A proposed dump in Tiny Township, a proposed quarry pit expansion at Mount Nemo in Burlington, the Highland Quarry in Melancthon, the Capital Paving in West Montrose and the St. Mary's Quarry in Flamborough were all canceled projects. All of these projects failed due to inadequate monitoring to accurately calculate existing runoff condition, infiltration condition, groundwater discharge; therefore, the components of the water balance may be grossly inaccurate.

The same issues repeat and are, in my view, the same for Enbridge Line 9, and in all cases they were using the exact same engineering firm, the same one that's going to make the money from a Lake Erie pipeline. I've been following the work for years. It's a pattern. It's a pattern they use to undermine risk and it repeats over, and over, and over again, and it's got to stop.

The reason the situation happens over and over again is because Canada lacks policy to mandate reasonable test time and methodology. The need is there to establish that. We need criteria defined not by industry, by scientists, to protect the public interests.

71. Attachment 26 page 12

.I would like to recommend mandatory pipeline closures during incidents of heavy flooding, ice jams or seismic activity, along with inspection of the pipelines and tributaries after these events in order to assure system integrity before the lines are turned back on.

The need is there to establish reasonable criteria for the mandatory placement of shutoff valves, particularly in areas where tributaries are prone to ice jam, flooding and severe erosion issues.

We cannot allow industry to govern itself nor should we permit the use of discretionary powers of elected officials to avoid the use of safety protocols. To allow the removal of protective strategies

poses a national security risk. It's a threat to our economy, to our communities and the Great Lakes.

Note: This comment was specific to the Harper Government. I was afraid to name the name.

72. Attachment 26 page 12 and 13 I stated:

As a Métis, I am concerned about the inequity of enforcement protocol for violations of environmental law in proximity to First Nation's reserves. I'm friends with the people of Aamjiwnaang.

If toxic discharges occur in Ontario municipalities, the average citizen has the right to report the incident to the MNR or the MOE and the matter can be investigated and charges can be laid. If it happens again, the company may be fined higher as an incentive to prevent future incidents. However, if an incident occurs on a First Nation reserve, the province lacks jurisdictional power to get the offense processed because it's considered a federal issue. It's not their jurisdiction. The federal government often responds saying, "It's pollution, it's a provincial issue". So it's not their jurisdiction either.

As a result, First Nations are systematically blocked from enforcement protocols that are afforded to other Canadian residents, and this is unreasonable and inequitable. It doesn't matter, race, creed, colour, if an oil pipe or contamination risk happens, we gotta to deal with it. It's a moral and ethical right thing to do. But without the first charges laid there's no cumulative damage costs for repeat offenders on reserves. The result is a situation that gives a vantage for polluting firms to set up next to reserves, in spite of the fact it creates a tort damage against the First Nations people.

73. Attachment 26 page 14 it states:

MEMBER RICHMOND: If we do shut the pipeline down during those heavy flooding or heavy rainfall, there's still oil in it.

MS. LANTEIGNE: Yes. Yes, but at least the volumes are better controlled, because if we were to mandate valve on both sides and we know there's an issue in the river, we can close it at both ends and prevent, right there. And that's how we got to go. Because the thing is, it's not good enough to have it just on one side. If we know the river is the source, then we can stop it at the source. And that's the most likely vulnerable source because it has the risk of most exposure. Build something on the land, the erosion risks are less; build something in the water, erosion risks are high.

74. Attachment 26 page 15 it states;

MEMBER RICHMOND: So I want to focus on the 9B statements that they made where they -- in response to a number of intervenor concerns, they pointed to their valve replacement improvement process but then they said that that valve replacement process is not part of this project, as defined. And so just focusing on those statements then, is your ---

MS. LANTEIGNE: Yes, what I found really curious was the absolute nature of how they stated that shut-off valves are not on non-navigable waters. They said that as an absolute, which conflicts with the

concept that they have a flexibility on the valve placement.

MEMBER RICHMOND: Okay.

75. Each day of the hearing I witnessed Enbridge officials, oil representatives dining with the NEB chairs sharing the same room at the Metro Toronto Convention Centre every time there was a break or lunch break happening. The area was strictly prohibited for all other parties. I spoke with an RCMP official on site and said in my view, no party member should meet and socialize with the NEB chairs during the hearing process without the inclusion of other parties. He told me they do this to simplify security measures. I told him this is an obvious bias.

76. On October 18 2013, during the Line 9 B hearing, we had a break so I went outside for fresh air. There was a protest outside happening at the time against Line 9. When I went to go back inside the building the security guards denied me entry into the building even though I told them my name and stated I was a delegate of the process. They absolutely refused me entry no matter what I stated. I finally saw a female security staff member inside who I spoke with earlier. She had red shoulder length hair, she wore a blue blazer and we exchanged friendly greetings throughout the hearings. I shouted over the security guard's shoulder to get her attention and she was the one who finally came to the door and permitted me to come back into the facility.

77. I observed the fact that there was no cross exam of any experts at this hearing. There was not even the chance to witness the closing statements of Enbridge as it was delivered. They were supposed to present their oral response on Saturday October 19 2013 in Toronto but canceled do to "Security reasons".

78. **Attachment 27** On October 19, 2013 I wrote a letter to my MP, MPP, Provincial and Federal Officials. I did this out of concern for what I observed at the Line 9 hearing citing the following issues:

- The scope of review was limited to only the area of the pumping stations.
- Concerns raised regarding the 98% of the pipe located off site was deemed out of scope.
- Enbridge didn't want to conduct hydrostatic testing because it could damage the pipeline.
- The highest pressure the pipe ever ran was at 666psi in Cardinal Ontario for 5 minutes.
- Enbridge wants to increase pressure to 1000 psi.
- Enbridge's own integrity dig data shows the line could rupture in several areas if run at 740 psi.
- Enbridge's ILI inspection tools can't detect cracks around welds or exterior damages to the pipe.
- The Goodman Report submitted by Equiterre flags the fact the economic projections are not realistic.

- Expert Engineer John Quarterly stated diluted bitumen creates a vortex in a pipeline that causes the pipe to vibrate more than standard crude. When introduced into areas of seismic risks it increases movement and risk of structural damages.
- Spills have a start and stop time but leaks have an unknown start time and can go unnoticed. Currently Enbridge has no leak strategy but we know there are leaks in the line impacting land owners currently.
- Land owners assume all liability if a leak goes to their neighbour's land. Once a pipeline is decommissioned the land owner is liable for any issues resulting from the remaining pipeline.
- Enbridge's system cannot detect leaks.
- 1 Billion in insurance won't go far if the spill happens around Toronto.
- Enbridge's reasonable response time, allocates up to 6 hours to close a valve.
- There is no existing data to suggest the conditions of Line 9's initial approval was ever met.
- In light of these concerns I filed a formal complaint with CSIS.

79. **Attachment 28** On October 25, 2013 I receive an email from Jane Morales of Enbridge. It featured a link to the Final Response of Enbridge for the Line 9B hearing NEB process. I forwarded this to the media and stated:

Please note: To date the Crown has yet to appoint a delegate to mediate with the 18 First Nation Tribes along this route. There has NEVER been reasonable consultation with them. That violates Canadian laws, Treaties and International Conventions for Indigenous Rights.

80. **Attachment 29** Enbridge's Final NEB response dated October 23 2013 arrived. In the report I observe Enbridge state:

- The proposed construction would be limited to previously disturbed areas, mostly contained within Enbridge's existing facilities or right-of-way, and no new permanent lands would be required.
- Increasing Line 9's capacity would result in an increase in assessed risk for 2.2% of Line 9.
- The Board expressly found on 19 December, 2012 that the Application was complete to proceed to assessment.
- On 19 February, 2013, the Board expressly found that the Application was properly made pursuant to section 58 of the National Energy Board Act.

- There is no reason to revisit those decisions at this very late stage and, with respect, the Board should not do so.
- In summary, it is submitted that there can be no reasonable basis to doubt that the Project and its scope have been properly defined.
- Stratégies Énergétiques stated that the decisions of the Line 9 shippers, including Valero and Suncor, ought to be second-guessed and the economic benefits of the Project have been overstated by Enbridge because its oil price forecasts are wrong.
- The Panel heard from Valero that it entered the long-term firm transportation contract that it did because, unlike Stratégies Énergétiques, it is convinced of the favorable price spread continuing into the future.
- The NEB does not micromanage. The Board does define outcomes that each regulated company must achieve. But the pipeline companies, including Enbridge, must determine how to best achieve those outcomes. The NEB then verifies the actions taken by each company through inspections, compliance meetings, emergency exercises, audits and investigations.
- The Ontario Pipeline Landowners Association (“OPLA”) asked the Board to include a condition similar to paragraph 86(2)(d) of the National Energy Board Act requiring Enbridge to indemnify Line 9 landowners from all liability arising out of Enbridge operations. Enbridge simply notes that Parliament had the opportunity to make this provision retroactive when it was enacted. It chose not to do so. Enbridge submits the Board should not second-guess Parliament’s decision.
- In commenting on potential Condition 9, the Ontario Ministry of Energy argued that the Updated Pipeline Engineering Assessment to which the Condition refers must be reviewed by an "independent third party." OPLA supported that position. With great respect, if the National Energy Board does not qualify as an "expert independent third party" then who or what possibly could? It may simply be that the Ministry and OPLA do not fully understand the NEB's mandate, approach and expertise. In any event, the proposed requirement for an "independent third party" review is unnecessary, inappropriate, and should not be imposed.
- The reasons why Enbridge submits that recommendations for hydrostatic testing of the Line 9 pipeline should be rejected are not repeated here. [1T353-368]
- repeat hydrostatic tests as recommended by Ontario are even less advisable especially for a pipeline, like Line 9.

81. **Attachment 30** Nov. 21 2013 Vancouver Observer published Harper government under fire for spying on environmental groups by Matthew Miller and Krystal Alarcon. It states:

Green leaders and members of Parliament react to FOIs obtained by the Vancouver Observer that revealed the National Energy Board was coordinating spying efforts on environmental groups. Politicians, environmentalists and First Nations alike are infuriated that the federal government worked hand-in-hand with the oil industry to spy on groups that opposed pipeline projects.

[Documents obtained by the Vancouver Observer](#) under the Access to Information Privacy Act revealed that the [National Energy Board](#), an independent regulatory agency, coordinated with the [Canadian Security Intelligence Service](#) (CSIS), the police, and oil companies.

“It’s the death of democracy if you’ve got non-violent, law-abiding First Nations, environmentalists and Canadian groups of all kinds being subjected to surveillance then handed over to industry groups. Frankly, it’s scary,” said [Elizabeth May](#), the MP and Green Party leader. “What Stephen Harper has essentially done is to take the spy agencies of the federal government of Canada and put them at the service of private companies like Enbridge.”

The board coordinated the gathering of intelligence on opponents to the oil sands before the Joint Review Panel hearings on the proposed Enbridge pipeline, which will carry up to [525,000 barrels of oil everyday](#) from Alberta to Kitimat in northern BC.

Emails between the board and CSIS looked at groups that work for environmental protections and democratic rights, including [Idle No More](#), ForestEthics, Sierra Club, EcoSociety, LeadNow, Dogwood Initiative, Council of Canadians and the People's Summit.

May, who was in Poland for the [United Nations conference on climate change](#), was alarmed by the private-public sector partnership.

Even the innuendos within the exchanges of emails between the board and CSIS alarmed her.

“The assumption in the briefing documents (of the NEB) is that somehow we pose a threat to the state because we are potentially a security threat,” which could lead into using the [new anti-terrorism law](#) against opponents, May said.

In a letter called, “[Can you keep a secret?](#)” last month, May already raised red flags about CSIS working too closely with industry, [as it spied on Brazil’s mining industry](#) and gave their findings to Canadian energy companies.

The Green Party, NDP and Liberal Party criticized the Conservative government after finding out about the board’s involvement with intelligence agents.

“I wonder if I’m under investigation, I raised questions about the Enbridge pipeline,” said [Nathan Cullen](#), the MP and NDP House Leader.

82. **Attachment 31** Vancouver Observer article titled Harper Government officials, spies meet with Energy Industry in Ottawa, written by Matthew Miller published on Nov .22 2013. It states:

Government spies and energy stakeholders met in Ottawa yesterday to discuss issues of national security, including the monitoring of environmental organizations and activists.

•[Harper government's extensive spying on anti-oil sands groups revealed in FOIs](#)

This meeting is the second of bi-annual “classified briefings” held at CSIS headquarters in Ottawa, bringing together federal agencies, spies, and private industry stakeholders with high level security clearances, including officials from energy companies in the oil, natural gas, pipeline, petroleum refinery and electricity sectors.

The last briefing was held on May 23 and was sponsored by Enbridge, Brookfield and Bruce Power.

In attendance at prior briefings were representatives from the RCMP, CSIS, NEB, DND (Department of National Defence) and also the Communications Security Establishment (CSEC), a federal agency that spies mainly on foreigners by hacking into their computers, reading their email and intercepting their phone calls. It was reported last month in documents released by whistle blower Edward Snowden that [CSEC has spied on computers and smartphones](#) affiliated with Brazil’s mining and energy ministry in a bid to gain economic intelligence.

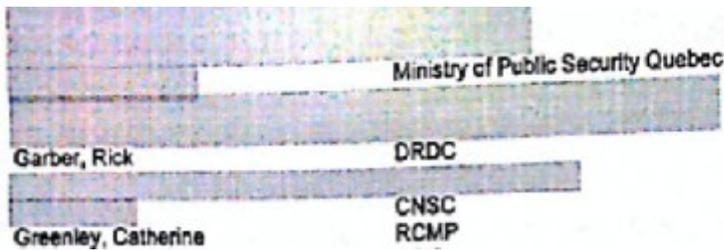
The purpose of the classified briefing is to provide intelligence to select energy representatives, while encouraging the private sector to brief the Canadian Intelligence and law-enforcement community on issues that they would not “normally be privy to”.

“From my experience, these briefings provide an excellent forum to build the relationships required to assist the RCMP within its investigations” writes Tim O’Neil, RCMP Senior Criminal Research Specialist in an email sent in advance of a 2012 briefing. The energy sector representatives all possess at least a Level II (Secret) Security Clearance. There are three levels of clearance, as defined by the Policy of Government Security: Confidential (Level I), Secret (Level II) and Top Secret (Level III). [Documents published](#) earlier this week reveal the cooperation of the RCMP, CSIS and the National Energy Board in the gathering of intelligence on oil sands opponents, including advocacy organizations and First Nations groups.

“These are legitimate spokespersons, relating concerns that people have on the environmental impacts of Conservative and industry plans”, said Liberal MP Joyce Murray, who suggests that these actions are part of an intimidation campaign by Prime Minister Stephen Harper and his government.

The documents, 140 pages of emails and operations plans from December 2012 to April 2013, show Richard “Rick” Garber, the NEB’s “Group Leader of Security” overseeing the cooperation of RCMP, CSIS and private energy companies.

In a list of 2011 briefing attendees obtained last night, Garber is identified as a representative of DRDC, an agency of Canada’s Department of National Defence (DND).



Click on image to enlarge.

DRDC provides DND, the Canadian Armed Forces and other government departments as well as the public safety and national security communities, “the knowledge and technological advantage needed to defend and protect Canada’s interests at home and abroad,” according to DRDC’s website.

The National Energy Board, Canada’s independent federal regulator of pipelines, responded yesterday to reports of intelligence gathering on opponents to the proposed developments. In a statement from NEB CEO Gaétan Caron, he acknowledges that the NEB may work with local officials and federal colleagues such as “the RCMP in the interests of safety for the public hearings, NEB Board Members, staff and the general public.”

It has [raised concerns](#) in Parliament that the collection of intelligence on Canadians is happening without parliamentary oversight, and potentially, with partisan influence and outside the confines of the law.

CSIS is overseen by the independent Security Intelligence Review Committee (SIRC). SIRC is currently chaired by former Conservative cabinet minister Chuck Strahl. Disgraced committee member [Dr. Arthur Porter](#), who was appointed by Stephen Harper in 2008, is currently in a Panamanian jail facing a range of charges, from money laundering, to taking kickbacks and conspiracy to commit fraud.

Both the National Energy Board and Security Intelligence Review Committee are supposed to function free of government collusion, but parliamentarians say they believe that the Harper government has instructed, or at least influenced the agencies in this case. MP Megan Leslie, deputy opposition leader and environmental critic is outraged. “It’s not appropriate for the government to be giving these instructions”.

She feels that they have influenced the NEB either by direct instructions or in creating a fear-based culture within the independent agency.

“The National Energy Board is supposed to be a neutral agency,” said Liberal MP Joyce Murray.

“Of the three members on the NEB Joint Review hearing panel, one is handpicked by the government, with the second holding a power of veto,” she continued, noting that two out of the three panel members are either selected or endorsed by government.

“This is unprecedented,” says Murray, “and now they are potentially instructing the NEB to collect private information and we have no way of knowing if it is being used counter to the law or not.”

83. **Attachment 32** On January 7, 2014 the Financial Post published an article titled Brian Hutchinson: Chuck Strahl vehemently defends his conduct as CSIS watchdog after revelations of pipeline lobbying which states:

Former Conservative cabinet minister Chuck Strahl says he had to keep working after leaving politics in 2011. “I’m not independently wealthy,” the 56-year-old said in an interview Tuesday.

So he opened a consulting service from his home base in Chilliwack, B.C. One of his first clients was Enbridge Inc., the Calgary-based company that wants to build an oil pipeline through B.C. to a seaport in Kitimat. Mr. Strahl began advising Enbridge on matters relevant to its controversial proposal. He didn’t expect the arrangement would lead to suggestions of a conflict of interest, let alone concerns over the security of Canada’s intelligence apparatus. But it has.

Here’s the trouble: A year after his retirement from politics, Mr. Strahl was appointed chairman of the Security and Intelligence Review Committee (SIRC), the federal body that reviews work performed by Canada’s spy agency, CSIS. As SIRC chairman, Mr. Strahl has access to all of Canada’s secrets, save for cabinet confidences.

After taking the SIRC appointment in 2012, Mr. Strahl told the *National Post* he would continue with his consulting work, but he would not lobby governments. That seemed wise; his predecessor at SIRC, Arthur Porter, had been caught representing himself as an ambassador for Sierra Leone, and as a personal advisor to that country’s president, among other indiscretions.

Dr. Porter resigned from SIRC and fled Canada. He now resides in a Panamanian prison, fighting extradition to Quebec where he is charged with money laundering and fraud.

Mr. Strahl is no Arthur Porter, and thank goodness for that. But as the online newspaper, *Vancouver Observer*, revealed on Saturday, he seems to have broken his promise, by registering to lobby the B.C. government on behalf of his client, Enbridge, and its subsidiary, Northern Gateway Pipelines LP. Chuck Strahl Consulting Inc. formally declared itself a Northern Gateway lobbyist in December, according to the B.C. Office of the Registrar of Lobbyists filing. Mr. Strahl’s objective, according to his filing: “To arrange a meeting between [B.C.’s Deputy Premier] Rich Coleman and representatives from Northern Gateway Pipelines Inc.”

Nothing wrong with that, says Mr. Strahl. But according to published reports based on documents obtained from Access to Information requests, CSIS, the RCMP and the National Energy Board have co-ordinated efforts to monitor risks posed by potential Northern Gateway opponents. Mr. Strahl could have access to information collected by CSIS, while working on behalf of Northern Gateway.

What about the pledge he offered in the National Post back in 2012, that as SIRC chairman he wouldn't

lobby governments? “I don’t remember the whole conversation,” Mr. Strahl replied. “Certainly I’m not lobbying governments like Arthur Porter was. I’m not representing a foreign government. He got into trouble because he was involved with other governments. He poisoned the well. That’s what I remember.”

He noted the *Vancouver Observer* is aggressively “anti-pipeline” and opposes Northern Gateway. Its story was influenced by “an agenda.... This isn’t about right and wrong,” he said. “This is about pipeline politics, right?”

Mr. Strahl also slammed the federal NDP for making an issue of his Enbridge work and his role at SIRC, all for political gain. He insisted that as SIRC chairman, he “has no knowledge of anything that affects Enbridge at all.” And if anything did come up at SIRC regarding Enbridge, he says he “would never see it.”

When Prime Minister Stephen Harper offered him the SIRC post in 2012, Mr. Strahl added, he met with Mary Dawson, Canada’s Conflict of Interest and Ethics Commissioner. She reviewed his situation and declared him conflict-free. He could legitimately serve as SIRC chairman while working for companies such as Enbridge.

Seeking further assurance, Mr. Strahl says he contacted Ms. Dawson again on Monday, and was told again that he’d done nothing wrong.

A spokeswoman with the Office of the Conflict of Interest and Ethics Commissioner in Ottawa confirmed in an email to the *National Post* that “Mr. Strahl has contacted our office on a number of occasions, including Monday of this week. Based on the information he provided to the office and on any other information currently available to the office, Mr. Strahl was advised that the office had no grounds to believe that there had been a contravention of the [Conflict of Interest] Act.”

He noted the *Vancouver Observer* is aggressively “anti-pipeline” and opposes Northern Gateway. Its story was influenced by “an agenda.... This isn’t about right and wrong,” he said. “This is about pipeline politics, right?”

Still, one is left wondering why Enbridge required a consultant — who happens to be Canada’s spy watchdog — to arrange a meeting with B.C.’s deputy premier, to discuss its contentious pipeline project. Did the company not anticipate that Mr. Strahl’s involvement would generate criticism, even suspicions, and provide Northern Gateway opponents with fresh ammunition?

“We retained Chuck because he is a respected British Columbian with a deep knowledge of this province and the issues that are important to the people who live here,” replies Enbridge spokesman Ivan Giesbrecht. “It is normal that regular conversations take place between Northern Gateway and governments.”

The much-discussed meeting hasn’t even been scheduled, it turns out. Mr. Strahl is now hedging on that. “I might arrange a meeting,” he said Tuesday. “Technically, that could be lobbying, if I successfully arranged a meeting.... I’m just trying to provide a service here. I have to work.”

84. **Attachment 33** CBC Reporter Greg Weston published this report on January 10, 2014 titled Chuck Strahl isn't the only SIRC committee member who has history with oil, gas or Harper. This article states:

While the head of the watchdog committee overseeing Canada's intelligence agency is under attack for also being a lobbyist for the controversial Northern Gateway pipeline, it turns out that half of the other Harper government appointees keeping an eye on the spies also have ties to the oil business. NDP Leader Tom Mulcair has joined a growing chorus of critics calling for the resignation of former Conservative cabinet minister Chuck Strahl as chairman of the Security Intelligence Review Committee (SIRC).

The committee oversees the activities of Canada's spy service, the Canadian Security Intelligence Service (CSIS), including surveillance of groups opposed to construction of the Northern Gateway pipeline from Alberta to the B.C. coast.

Strahl has touched off a political controversy for registering with the B.C. government as a lobbyist for Enbridge, the company wanting to build the pipeline.

To be clear: Strahl has long had a reputation as one of the straightest arrows in Canadian politics, and there is no evidence of any actual conflict of interest in his work for Enbridge.

His problems are entirely matters of public perception.

- [SIRC chair's pipeline lobbying seen as symptom of larger problem](#)
- [Ex-minister on the hotseat over Enbridge lobbying job](#)
- [Strahl defends expansion of spy watchdog's role](#)

•

In a recent television interview, Strahl said he would recuse himself from anything to do with the proposed pipeline that came before the spy service review committee, passing the case to one of the other four members.

But a few of them may have their own problems of perception.

For example, Denis Losier is an accomplished former New Brunswick politician, bureaucrat and insurance company top executive.

But he is also on the board of directors of Enbridge N.B., a wholly-owned subsidiary of the pipeline and gas company of the same name, Strahl's client.

Yves Fortier is one of Canada's most pre-eminent and highly respected lawyers.

He was previously a member of the board of TransCanada Pipelines, the company now behind the proposed Keystone XL pipeline from Alberta to Texas.

That project is currently being blocked in the U.S. by the Obama administration, and has been the target of huge protests.

Former Reform MP Deborah Grey is one member of the spy service oversight committee with no apparent connections to the oil industry.

But she does have long ties to Stephen Harper (he used to work in her MP's office) and friendly

connections in a government that has branded pipeline opponents “radicals.”

That leaves Frances Lankin, former Ontario NDP cabinet minister in Bob Rae’s government, and retired long-time head of the United Way in Toronto.

Among the five members of the intelligence oversight committee, Lankin alone has no ties to either the current government or the oil industry.

But any group wanting to file a complaint to her about the spy service will have to hurry: Her five-year appointment expires this month.

Forest Ethics Advocacy is one of the environmental groups apparently targeted in CSIS surveillance, and is now publicly calling for Strahl’s resignation as head of the oversight committee.

The director of the Vancouver-based group says she is surprised to learn that some other members of SIRC have ties to the oil and pipeline industries.

“What’s becoming clear is there is no impartial body that can oversee CSIS right now,” said Tzeporah Berman. “This is another example of the fox minding the henhouse.”

Berman says Canadians have a right to expect that an important body such as SIRC is “protecting us and being impartial.”

“Instead, what we’re finding is our government is using our tax money to spy on us and support the oil industry.”

Strahl is currently paid up to \$650 a day as chairman of SIRC, and the other four members get about half that. All of the positions are part-time.

The lawyer for Forest Ethics, iconic Canadian attorney Clayton Ruby, says if the government wanted effective oversight of its spy service, it would start by paying the watchdogs as full-time jobs, and like judges, members should be banned from taking outside employment. “At the very least, all of them should be banned from lobbying,” Ruby says.

SIRC members contacted by CBC News would only speak on background, but several agreed that at the very least, chairing the committee should be a full-time job.

Whether any of those suggestions or the current kerfuffle over Strahl’s lobbying will move the Harper government to action seems doubtful.

- [Brian Stewart: Why are we eliminating the CSIS watchers?](#)

The last time there was any reform of spy service oversight, the Conservative government eliminated the office of the inspector general that was supposed to have virtually unlimited powers to ensure CSIS was operating within the law.

To paraphrase the old saw, what people don’t know can’t hurt the government.

85. Attachment 34 I was featured in a publication produced by Rising Tide Toronto called Not Worth the Risk: A Community Report on the Line 9 National Energy Board Hearing produced in February 2014. The report highlights the specific concerns voiced by the delegates at the Line 9B hearings and it flagged several alarming facts including the following:

- Enbridge admits their computation pipeline monitoring system “will not detect a leak below 70.5 [cubic metres], 443 [barrels] over a two-hour period”. That works out to 588 litres per minute. It would take 2 hours for the system to signal a spill.
- By Enbridge’s own admission – more than 30 per cent of the releases in Line 9 were first reported by third parties
- When the ILI tool does not catch a damaged piece of pipe, it is called a “false negative”. These false negatives, or unreported defects in the pipe, sometimes make up over 20% of the total “features”, a dismal margin of error.
- Local authorities and emergency first responders had no idea about the Line 9 project, let alone what to do in case of an emergency.

86. **Attachment 35** The NEB approved Line 9B on March 6, 2014 with conditions. On **page 152** it states the following condition of approval which relates to my concern of the valve placements;

16) Enbridge shall file with the Board for approval, at least 90 days prior to applying for LTO, the results of its project to update the Line 9 mainline valves system from Sarnia Terminal to Montreal Terminal using Enbridge Intelligent Valve Placement (IVP) methodology. Through these results Enbridge shall: a) demonstrate that the new Line 9 valves system meets or exceeds the requirements of CSA Z662-11 clause 4.4 Valve location and spacing, with particular reference to clause 4.4.8, note (2);

87. **Attachment 36** I came across articles from the BC Civil Liberties Association published on February 6, 2014, titled: BCCLA Files Complaint Against RCMP and CSIS For Spying on Enbridge Pipeline Opponents. It states;

Some of the intelligence gathered appears to have been shared with the National Energy Board, including information about ForestEthics Advocacy which was an intervening party in the Board’s hearings, as well as with Enbridge and other oil and energy companies. The complaint against the RCMP alleges that this could compromise the fairness of the Enbridge hearings. West added: “You can’t have a fair hearing when the police secretly gather information about our activities and then provide secret evidence to the National Energy Board and Enbridge, one of the other parties.” The activities of CSIS and the RCMP outlined in the complaints originally came to light through an access to information request filed by Matthew Millar of the Vancouver Observer. It is unclear whether covert surveillance, wiretaps or other means were used in gathering the intelligence

88. **Attachment 37** File A-2014-04 dated June 2 letter that I got from Sheri Young Access to Information and Privacy Commissioner confirms that I made a request for Access to Information on April 4, 2014 to request the following

Please provide me with all records which discuss my person, Louisette Lanteigne (also known as Lulu Lanteigne) and not records which merely mention me for administrative purposes such as travel claims, lists of oral statement makers or meeting minutes of the land matters group.

89. **Attachment 37** states the response for the NEB Access to Information will require 30 extra days to process.

90. **Attachment 38** , Letter dated June 9, 2014 from Michael Jeffery of the RCMP Access to Information Branch, confirms that the RCMP received my Access to Information Request on April 28 2014 to seek records that discuss my person. In response Michael Jeffrey wrote:

This is to advise that further to our correspondence sent to you on May 1, 14, we have not received the requested information. As such we consider your request abandoned and are concluding your file at this time.

91. **Attachment 39** is an email that I sent on June 13, 2014 to Michael Jeffery of the RCMP Access to Information Branch, Dana McAteer of the RCMP as well as Mike Amato of the York Regional Police. **On page 1** of this document I stated:

Below is the email sent on May 1st with the required information which was my BIRTHDATE to confirm my identity. I did provide it as seen in the email below and do not wish to close this request.

92. **Attachment 39 page 2 in th email I sent to Dana McAteer on May 1, 2014** states:

I was born March 26 1969.

93. **Attachment 29 page 2** I mentioned the odd computer issues I was having during the NEB process.

As a concerned citizen, I have been active in public processes for many years, mainly in regards to the protection of municipal water supplies. I have participated successfully at the Ontario Municipal Board, the National Energy Board and with the Canadian Nuclear Safety Council public processes and many times, during critical phases of these public processes, odd things happen on my personal server or communications will be disrupted somehow. My system will lag, files I'm crafting for the presentation will be lost or corrupted. I will save a file like normal but won't find any trace of it at all on my server after saving it.

During the NEB hearing for Line 9, even the NEB servers crashed during the deadline period for the submission of evidence. It's almost a predictable pattern that something will fail during critical deadline periods resulting in extra costs for participants, particularly if they are using the services of a solicitor. I'm trying to take steps now to see if there is any reasonable causality for the disrupted communications. I am using this information request to see if there is any chance that the disruptions may be centred from a third party agency or my internet provider. (Rogers)

94. **Attachment 40** are emails I exchanged with RCMP's Dana McAteer dated July 8 and 9, 2014.

Dana McAteer wrote:

This is to confirm that your previous email dated June 13, 2014 was received. Thank you for providing your date of birth however, I am still unclear as to which detachment I should request the records from as you have not yet provided this information to me. It is not possible to canvas all detachments of the RCMP as there are well over 700. As such, please confirm as soon as possible which detachment you would like searched. Your request will remain on hold until this information is received.

95. **Attachment 40:** I looked online for the relevant RCMP contact information relative to the NEB Line 9 processes. I wrote this:

The London Ontario RCMP office is located at 451 Talbot St., 8th Floor London, ON N6A 5C9
Telephone: (519) 645-4329

The Toronto RCMP office is at 255 Attwell Drive Toronto ON, phone (905) 676-5555

The RCMP also provides Support Services to the National Energy Board by way of the Critical Infrastructure Intelligence Team from Ottawa located at the RCMP National Headquarters located at 73 Leikin Drive Ottawa, ON K1A 0R2 phone: (613) 843-4902

96. **Attachment 41** is the October 6, 2014 NEB File OF-Fac-Oil-E101-2012-10 02 Order XO-E101-003-2014 was a decision that denied Enbridge Leave to Open for Line 9. It states:

Upon review, the Board is not persuaded that Enbridge meets the requirements of Condition 16 of the Order and therefore, the Board does not approve Enbridge's submissions
Enbridge has not provided adequate information regarding the location and spacing of the Line 9 valves. The CSA Z662-11 requirement to place valves on both sides of a water crossing is tied to the determination of major water crossings (MWCs).

The Board is of the view that Enbridge's criteria for determining MWCs are not adequate and that Enbridge's interpretation of a MWC does not comply with the intention of CSA Z662-11.

The Board is of the view that Enbridge should prepare a new description of the criteria that Enbridge will use to determine whether a watercourse crossing is considered 'major'

The Board notes that only 6 of the 104 MWCs identified by Enbridge to date appear to have valves installed within 1 km on both sides of the water crossing, while the majority appear to have valves installed more than 10 km from the water crossing on at least one side.

94. I was upset because The Navigable Water's Act and Canadian Code and Standards Association (CSA) requires two automatic shut off valves by law, along all major waterways. The fact they were never installed along Line 9 for the majority of these major water crossings, shows long term

incompetence by the NEB as a regulator and non compliance from Enbridge for years.

95. Citoyens Au Courant. They sent me a video that was published on Oct. 29, 2014 on Youtube featuring Richard Kuprewicz from Accufacts who wrote the affidavit evidence for Équiterre during the Line 9 hearings. He has over 40 years experience and works as an adviser for the US pipeline regulator, the PHMSA. In this video I observed him state:

- Line 9 has over *90% chance of rupture*.
- The steel is too thin; there are cracks, crack clusters and rust.
- This pipe is at end of life and the standards of the pipe as installed in the 1970's are no longer up to code.
- Blasting through rock to install Energy East in close proximity to Line 9 could cause structural damage to the pipe.
- Hydrostatic testing at 150% the Maximum Allowable Operating Pressure (MAOP) is needed to prevent the risks, yet Enbridge has stated publicly that a hydrotest is not needed and could cause unnecessary damage to the pipe yet there is no existing evidence to suggest that hydrostatic testing can damage a pipeline.
- Line 9 already experienced reversal of flow once previously. The process required hydrostatic testing and it was done without issue by Enbridge. Why should they take issue with doing the same test?
- At the end of this video, Mr. Kuprewicz states the only likely reason why Enbridge doesn't want to do hydrostatic testing is that this line would fail the test.

Website of the video here : https://www.youtube.com/watch?time_continue=1&v=G_40M4UtVAo

97. **Attachment 42** I received the NEB Access to Information response that include a cover letter and a CD disk. The letter of response is dated File A-2014-04 and it was sent by Sheri Young of the National Energy Board. It came with to attached documents.

98. **Attachment 42 page 2** shows a letter from the ATIP Team sent by a person named Louise (no last name provided or department title .) The letter instructs the NEB on what information to release in the following passages and conforms that LSU reviewed it regarding information to be redacted. No effort was made to explain who ATIP is or what LSU means. Here is some of the content of that letter:

We believe the request was made further to media reports suggesting the NEB of “spying” on anti-oil sands organizations. Pursuant to that media coverage the BC Civil Liberties started a Facebook page which encouraged individuals to file ATIP requests to find out what information the NEB (or other federal dept.) may have about them.

Information to be released includes documentation submitted by the requester as part of a hearing, lists prepared by staff of contributors and speakers for upcoming hearings, media reports that contain an article or news clip mentioning the requester, email transactions that involve or mention the requester and Board reports that mention the requester. For all of this documentation, any redaction made were done pursuant to subsection 19(1) (personal information), 21(1)(a) and (b) (advice) and section 23

(solicitor client privilege)

LSU has reviewed the release package and were able to provide additional commentary respecting further personal information that should be redacted. All LSU suggestions have been incorporated into the release package. I have also reviewed the release package and agree with the recommendations as put forward by LSU and the ATIP team.

99. **Attachment 42 page 3** from James Brunton dated August 20 2014 from the office of the Secretary referring to my file A-2014-04. This document shows my Access to Information was subject to staff consultations legal council consultation under Laviel Sherret and Rebecca Taylor signed Communications Advised.

100. **Attachment 43** The CD of the NEB Access to Information response contained 1031 pages of information.

101. **Attachment 43 Page 30** They included larges sections of media monitoring without any relevance to my name except for a single twitter posting at the end of it. They were many media monitoring pages and several of my twitter feeds mentioned in them so they were monitoring my postings on Twitter.

102. **Attachment 43 Pages 34 and 33** is blacked out regarding my application for participant status for one of the hearings. There were many other pages blacked out and redacted through the report.

103. **Attachment 43 Pages 39 to 44** There is an email from Darcie Harding and shows how NEB staff came to the decision for Line 9 phase 1 process. It can be viewed in **Attachment 17**. This reveals the fact there was no First Nation's consultation and the lack of cross exam on structural integrity and engineering of the pipeline issues was deemed a "success" by NEB managers.

104. **Attachment 43 page 120** I sent a letter to NEB's Michael Benson on March 13, 2014 where I asked him a series of procedural questions asking if the public could take part in the Leave to Open process for Line 9. It resulted in many internal emails with solicitors and featured numerous pages blacked out or completely omitted.

105. **Attachment 44 page 1** February 17, 2015 Michael Benson of the NEB wrote stating:

I would like to take this opportunity to remind you of an email that I send to you on 24, July 2014, I have attached a copy of the email in case you forgot about it or in case you did not receive it for some reason. (I know that email can be not entirely reliable) The attached email was my attempt to provide you with the relevant information in response to your concerns.

106. **Attachment 44 page 1** I wrote an email to Michael Benson at the NEB regarding his response and stated:

I did not see this email before. My server experiences many odd incidents of emails gone missing and server malfunction unfortunately. Just this week I had my server compromised severely to the point I had to rebuild it twice from scratch. My parents also told me they were not receiving emails I've sent to them including family photos etc. I don't know why these things happen but I do my best to simply work around it all. What else is there to do?

107. **Attachment 43 page 166** states pages 191- 289 denied based on 21(1)(a) 21(1)(b) which was one of several example of this policy in use.

108. **Attachment 43 page 168** states information was denied due to section 68(a) again this policy was repeated in the report.

108. **Attachment 43 page 970** indicates the report was at least 2525 pages yet I only received 1031 total.

109. **Attachment 45** I did an interview with the Waterloo Chronicle on November, 26, 2014 in an article titled Who Watches the Watchers written by James Jackson. In the article NEB communications officer Whitney Punchak stated the following:

“We are required, by law, to give them all the information that we have that in any way relates to that question,” said Whitney Punchak, communications officer with the NEB. “If someone asks a fairly broad question they are going to get a significant amount of information.”

She said the NEB media monitoring helps keep track of how board spokespeople are answering questions related to the agency and to keep tabs on what is being said in the media.

Punchak said the information gathered through the media monitoring does not influence board members, who are only allowed to consider information submitted through the formal intervenor application process or presented by the intervenor.

“They are not privy to this information and they do not consider information that is outside of their public record,” said Punchak.

“They do not receive that information and they cannot consider information that was said in the media. They can only look at information that is on the record.”

110. **Attachment 46** Waterloo woman finds NEB email lauding public’s inability to question pipelines by journalist Mychaylo Prystupa published on December 9, 2014 was my interview with the National Observer regarding the findings of the National Energy Board Access to Information process. It states:

A Waterloo resident – now credited with finding crucial flaws in Enbridge’s Line 9 reversal pipeline in Southwest Ontario -- is sounding the alarm over an internal e-mail from the National Energy Board that appears to boast about new Harper government rules that reduce the public’s ability to ask questions at pipeline hearings.

Louissette Lanteigne uncovered the e-mail via an Access to Information request. In the report attached to the memo, the NEB's Hearing Manager for Oil Pipeline Applications told colleagues about the "successes" of a recently concluded Line 9A pipeline hearing in the summer of 2012.

The manager states that the public's inability to cross-examine witnesses at the hearing was one of several achievements.

"Having only final oral argument and no cross examination worked well in this case," wrote the NEB manager, "due to the highly technical issues regarding engineering and integrity."

The e-mail was written three weeks after a Harper government omnibus bill C-38 law -- the "Jobs, Growth and Long-term Prosperity Act" -- came into force in 2012 that put new limits on NEB hearings. Conservative Minister Joe Oliver said at the time that the reforms were necessary to halt "environmental and other radical groups" from hijacking pipeline reviews.

Lanteigne, who discovered the NEB e-mail by accident, found the NEB manager's comment hard to stomach.

"I was shocked when I read that," she said Monday from Waterloo, ON. "The lack of public input is actually a liability."

"You need cross examination. You need it to understand the logic of why the decisions are being made."

"They undermine the intelligence of the public. Because they assume we don't understand basic engineering," she said.

A National Energy Board explains its hearing manager's email about cross-examinations this way:

"Because of the highly technical issues in this project, we held an oral final argument. Information placed on the record was tested through written information requests, which are available on the public record," wrote a spokesperson last week.

The NEB hearing manager also listed these "successes" in the 2012 e-mail:

- Maintaining the hearing's duration to 11.5 months
- Handling protester disruption at the two-day oral hearing by clearing the room with security
- Keeping deadlines for public participation "despite tight timelines"

Many observers were critical of the board for not doing a better job promoting the opportunity for the public to participate in the hearing. Some, including local politicians opposed to the pipeline who wanted to be interveners, missed deadlines to apply because they were not informed, according to Lanteigne.

The NEB finally approved the full length of the \$16.9-billion Sarnia-to-Montreal pipeline in March 2014. (The budget is double the cost of Northern Gateway.)

Line 9 will pump 300,000 barrels of oil through its U.S. pipelines into southwest Ontario and onward to Montreal refineries. The move is part of a larger industry push, like TransCanada's Energy East project, to pump Alberta and U.S. Bakken oil eastward.

Line 9's flow of oil halted

Trouble is, the oil is not flowing on Line 9 yet – and that is likely due to Lanteigne's research into flaws in the pipeline's design.

Though Lanteigne is not trained in engineering or law – (she waitresses in cafes for a living) – the citizen investigator has been doggedly researching Enbridge's Line 9 pipeline for years.

She discovered a “common sense” problem with the project – the lack of the shut-off valves on both sides of waterways, like the Grand River near where she lives. She applied to speak at the NEB's oral hearings into the project in London in 2012. She was one of just 18 interveners.

A much larger number of parties -- 44,000 -- were limited to writing letters of comment. “Many were form letters,” said the NEB e-mail.

“So I told them, beside major tributaries and flood risk areas, you need two valves to stop the oil from flowing, if the [pipeline] breaks,” said Lanteigne.

“And the board agreed with me. And that's why Line 9 isn't flowing.”

She used MapQuest to report that the driving distance between the valves was 45 minutes. Using “simple math,” she calculated that Enbridge would have a hard time containing a catastrophic oil spill into the waterway.

A standard spill leak, she told the board, of two percent of the pipe's volume would release more than 1,000 barrels of oil into the water each hour.

NEB orders Line 9's design flaws fixed

Without much fanfare last month, the NEB denied Enbridge's request to begin flowing oil on Line 9, citing the exact same shut-off valve concerns.

“The day that I received the National Energy Board ruling – I threw up,” laughed Lanteigne.

“I was laughing at the same time because I thought it was so preposterous that it took a housewife to raise that concern to stop the pipe.”

Enbridge's CEO Al Monaco acknowledged the oversight.

“Since we received the NEB's directive, we've taken a hard look at what we had done technically and how we addressed the condition with the NEB,” he said last month, according to the Edmonton Journal.

“It's clear from our second look that we should have done a much better job of explaining our approach to the placement of valves on the route and the NEB I think was right to question us on it.”

The NEB would not acknowledge that Lanteigne was one who raised this issue (even though it's in the transcript), but an enviro-watchdog group that attended the hearing did.

“Ms. Lanteigne was definitely critical in pushing to have the shut-off valves installed,” said Adam Scott, Climate & Energy Program Manager with Environmental Defence in Toronto.

“It is heartening to see just how much impact citizens can have when they get engaged in critically important issues like this,” he added.

Lanteigne is grateful the NEB dealt with her concerns.

“I raised the concern, they acted on it. But I always wondered in my mind what would've happened

were I not allowed to say it?”

“I’m concerned how many pipelines are built like this still today.”

The Board did make \$200,000 available to assist landowners, Aboriginal groups, incorporated non-industry, not-for-profit organizations, and other interested persons to participate in the regulatory process of the pipeline.

111. **Attachment 47** is File OF-Fac-Oil-E101-2012-10 02 dated 5 February 2015 Order XO-E101-003-2014 (2014 Order) Decision of the Board regarding Conditions 16 and 18 Filings page 3 states:

The Board has approved Enbridge's submission for condition 16

112. **Attachment 41** October 6, 2014 NEB File OF-Fac-Oil-E101-2012-10 02 Order XO-E101-003-2014 confirmed : The Board notes that only 6 of the 104 MWCs identified by Enbridge to date appear to have valves installed within 1 km. I observe that Adding 17 more valves still leaves 81 major water crossings non compliant with the CSA policy. The NEB and Enbridge are still not in compliance. The NEB are approving plans that are not up to code.

113. **Attachment 47 page 4** states:

Given the sensitive characteristics of the landscape this pipeline traverses, the Board will take the additional step of requiring direct oversight and consistent assessment of future filings for the project from a member of the Board, Dr. Ron Wallace, pursuant to section 14 of the National Energy Board Act.

114. **Attachment 48** states:

To ensure consistent oversight, the NEB Chair has taken the extra measure to authorize a member of the Board, pursuant to section 14 of the National Energy Board Act to review all future filings for this project. This member is authorized to act with the full authority of the Board.

115. **Attachment 49** is from archived data from National Resources Canada titled: Minister Oliver Announces Appointment of New Member to the National Energy Board dated October 4, 2013. It states:

The Honourable Joe Oliver, Canada’s Minister of Natural Resources, today announced the appointment of Dr. Ron Wallace as a permanent (full-time) member of the National Energy Board (NEB).

116. When I heard about the appointment of Mr Wallace as being the only person to handle the Line 9 file I was shocked. Mr. Wallace was hired just days before the Line 9B hearing in Toronto which began on October 8, 2013. This appointed person by the Harper Government with only one year experience with the NEB is now given the full power of the Board to determine the fate of Line 9 which crosses

the most densely populated areas of Canada. Why should Canadians accept this. It is not reasonable to allow a single man to handle this case. It's a national security risk.

117 **Attachment 50** 'On February 17, 2015 Toronto Star Published RCMP called 'anti-petroleum' critics a potential security threat by Tonda MacCharles. It states:

OTTAWA—The RCMP has identified “anti-petroleum” critics as a potential security threat, fueling concerns in Parliament that tough [new anti-terror powers](#) will be misused to target environmentalists, aboriginals and critics of the government’s economic agenda.

Prepared by the RCMP’s critical infrastructure intelligence team, the threat assessment dated Jan. 24, 2014 says: “There is a growing, highly organized and well-financed, anti-Canadian petroleum movement that consists of peaceful activists, militants and violent extremists, who are opposed to society’s reliance on fossil fuels.”

Obtained by La Presse newspaper, the RCMP document casts climate change activists as outside mainstream Canadian public opinion, and points to handful of criminal acts between 2006 and 2013, particularly the anti-fracking protests in New Brunswick that turned violent.

It predicts as pipeline and hydraulic fracturing operations expand across Canada “criminal activity associated to the anti-petroleum movement will increase nationally” and calls such extremists “a realistic criminal threat.”

Bill C-51, the proposed Anti-Terrorism Act of 2015, would enact [sweeping new spying and intervention powers for CSIS and the RCMP](#) to target security threats. It would allow easier sharing of intelligence information about individuals among 17 federal agencies and departments, and would criminalize individuals who “promote” terrorism.

On Wednesday the NDP and Green Party pushed the Harper government on just who the bill is targeting.

“Bill C-51 would expand CSIS’s mandate to spying on ‘interference with infrastructure and interference with economic or financial stability,’ ” said NDP Leader Tom Mulcair.

“The language is so broad that it would allow CSIS to investigate anyone who challenges the government’s social, economic or environmental policies. What is to stop this bill from being used to spy on the government’s political enemy?”

Prime Minister Stephen Harper mocked Mulcair, saying, “We knew that with the NDP it would be only a matter of a couple of weeks before we got into this kind of conspiracy theory. That is what we have come to expect from the black helicopter fleet over there.”

“Of course the reality is that under the legislation, based on information about imminent terrorist

activity in Canada, should CSIS find it necessary to disrupt that, of course it would have to go to a court to get court sanction for those actions.”

Mulcair retorted that “the problem is that it’s the prime minister who sees enemies everywhere.”

Public Safety Minister Steven Blaney said the bill aims at “any activity that undermines the security of Canada (which) does not include lawful advocacy, protests, dissent and artistic expression.”

However, University of Ottawa law professor Craig Forcese and the University of Toronto’s Kent Roach have conducted a lengthy analysis of the bill and concluded it is overbroad in many aspects, including by potentially capturing protests that don’t have proper municipal permits for example.

Green Party Leader Elizabeth May asked Harper whether the bill would cover activities “that are by definition not lawful but that are peaceful, such as when Conservative MPs refuse to fill out the long gun registry, or when Green Party members blockade Kinder Morgan pipelines. Will non-violent, peaceful activities be exempted from this act?”

Harper said it is “very well known that the anti-terrorism act, 2015, is designed to deal with the promotion and actual execution of terrorist activities, and not other lawful activities.”

Keith Stewart, of Greenpeace, posted a response on the organization’s website saying the document displays “the kind of poor judgment that needs to be limited when it defines individuals advocating purely peaceful actions such as sit-ins as a threat to national security.”

He said while the terrorism bill has an exemption for lawful protest and dissent, “there are, however, many forms of protest that aren’t strictly lawful such as a rally that doesn’t get the proper permits, wildcat strikes, sit-ins, or Idle No More blockades set up by First Nations to defend their treaty rights.”

“We already have laws to address these types of actions, so undertaking or supporting such actions should not be conflated with terrorism, nor should it enable the kind of surveillance and interference contained in the proposed terrorism bill.

“In fact, you don’t even have to actually organize a demonstration or sit-in to trigger the new power — under this legislation CSIS simply has to suspect that you might do something that interferes with critical infrastructure and they can break out their new bag of tricks. Which is truly chilling. And that may be the desired effect.”

118. **Attachment 51** is a copy of the RCMP's Critical Infrastructure Intelligence Assessment Criminal Threats to the Canadian Petroleum Industry 2014-01-24. I found it online at Scribd through an article by DeSmog at this weblink: <http://www.desmog.ca/2015/02/17/leaked-internal-rcmp-document-names-anti-petroleum-extremists-threat-government-industry>

119. **Attachment 52** is an article by CBC NEWS posted Jan. 30 1999 titled RCMP bombed oil site in 'dirty tricks' campaign. The article states:

The RCMP bombed a well site and that they did it with the full support of the energy company that owned it. The Crown admits the allegations are true.

It makes me wonder how many of the protests listed in Attachment 51 were linked to police or industry manipulated activities. Either way, there is a history for this sort of concern.

120. **Attachment 53** This is a list of municipal resolutions calling for dual valves and proper hydrostatic testing on Line 9. This happened because many Line 9B delegates including myself, have been working to inform communities about the Line 9 by giving lectures, hosting public awareness events and using the public process to pass municipal resolutions to protect communities. The resolutions are testimony to the fact we are informed, educated and reasonable people using the public processes peacefully.

I've been working on the Line 9 issue for 8 years now and I have never received money for doing this. I am not funded. I payout of pocket to participate in hearings and public processes. I don't work for anyone. I was raised to be a good person and when good people see a risk it's not natural to sit by and watch something bad happen. It defies common sense. That's why I do it.

121. **Attachment 54** page 6. On February 20, 2015 I wrote an email to the National Energy Board and stated:

Today I was reviewing media reports about Enbridge Inc. Q4 numbers and it seemed odd that they made a profit bucking industry trends regarding the impacts of a 50-60% drop in oil prices.

I started looking at their fiscal data and found several interesting things. First off is this statement on popular investment site the the Motley Fool which reads:

Investors should note that the profit as sanctioned by the auditors and calculated according to generally accepted accounting standards, amounted to \$1.15 billion which was 37% less than the "adjusted" profit as estimated by company management. The adjustments mainly reflect a net \$320 million mark to market loss on derivative transaction mostly used for hedging purposes. While this is an uncomfortable large adjustment, a small consolation is that it less than half the adjustment made in 2013.

<http://www.fool.ca/2015/02/20/enbridge-inc-the-risks-are-rising/>

Looking into the matter deeper, I found published reports that confirms Enbridge restructured it's Canadian Assets in December 2014 (which would impact 4Q results) basically moving funds between Enbridge Inc. and Enbridge Income Fund Holdings.

<http://www.theglobeandmail.com/report-on-business/industry-news/energy-and-resources/enbridge-shares-surge-to-new-high-after-drop-down-restructuring/article21962498/>

<http://www.bloomberg.com/news/articles/2014-12-04/enbridge-surges-after-asset-shift-dividend-boost>

I recalled this news article regarding how economist Robyn Allen has concerns regarding Kinder Morgan's shifting of funds from company to company without NEB approval. Here is that link:

<http://theyee.ca/News/2014/11/24/Kinder-Morgan-Breaking-Law-Economist-Alleges/>

As I understated it, NEB must authorize activities regarding merger and/or acquisitions in order to comply with the NEB Act section 74

74. (1) A company shall not, without the leave of the Board,
- (a) sell, transfer or lease to any person its pipeline, in whole or in part;
 - (b) purchase or lease any pipeline from any person;
 - (c) enter into an agreement for amalgamation with any other company; or
 - (d) abandon the operation of a pipeline.

I personally called the Ontario Securities Commission and the Alberta Securities Commission about the fact that Enbridge Inc. and Enbridge Investment Funds Holding appear to be moving lots of money rather frequently. I also stated that as a delegate of the Line 9 hearings I follow procedural documents with frequency and to date I have not seen any reference documents about these transactions or the intent to merge funds between Enbridge Inc and Enbridge Investment Funds Holdings Inc. in spite of released press reports noting the intent to merge.

The Ontario Securities Commission encouraged me to visit Sedar.com website and see if there's further data there. I did find evidence of several material exchanges / acquisitions between the two companies right up to the last Q4. In the attachments I have some examples for you. This is not an exhaustive list but it certainly indicates why their Q4 reports are producing the numbers seen today. The representative I spoke with at the Ontario Securities Exchange advised me to call the Alberta Securities Commission at 1-877-355-0585 which I did.

The person I spoke with at the Alberta Securities Commission informed me that Enbridge Inc. and Enbridge Investment Fund Holdings Inc. are indeed two separate companies with separate numbers, separate contact etc. Moving funds between the two companies must follow the legal protocols of any corporate partnership and should not be done lightly. He encouraged me to inform the NEB about my observations right away.

In light of these concerns I formally request a written response from the National Energy Board to confirm the fact that this email was received and that it will be shared with board officials. I would like in writing how they intend to address these issues.

I look forward to your reply.

122. **Attachment 54 Page 5** On February 20, 2015 I wrote to the NEB again and stated:

One more fact I would like to relay to the Board of Directors.

The International Consortium of Investigating Journalists have an online search engine to investigate if companies are involved with offshore banking schemes. The search engine was published in reports by the Canadian Media including CTV news. I use it as a reference when the need is there

Please encourage the National Energy Board to visit the website at <https://offshoreleaks.icij.org/search>

Do a search on the term Enbridge Investment Funds Holding Inc. because they are currently providing funds to Enbridge Inc. as proven in the Sedar.com documents I spoke of earlier today because according to this website, the company is involved with extensive offshore banking schemes mainly linked to Asian investors. I implore that the NEB carefully review this data and take it seriously.

I have called the Alberta Securities Commissioner and notified them of this as well.

Again I request a confirmation that you received this email as well as a written response on how these concerns will be addressed.

123. **Attachment 55** On April 23, 2015 the Huffington Post published an article titled: Mike Duffy's Badly Redacted Diary Suggests Illegal Enbridge Lobbying states:

Redacted entries in Mike Duffy's diary suggest he was in regular undisclosed contact with pipeline giant Enbridge during the height of the federal government's scorching attacks on environmental activists and charities in 2012.

The suspended senator's journal shows a flurry of conversations and emails with or about top-level Enbridge executives, then PMO chief of staff Nigel Wright and the Prime Minister between January and June of 2012, just as the National Energy Board started its hearings on the Enbridge Northern Gateway pipeline proposal.

124. **Attachment 56** is the National Observer article titled Redacted diary reveals oil's hidden route to Harper written by Mychaylo Prystupa & Sandy Garossino published on April 22, 2015. The article states:

Redacted entries in suspended Senator Mike Duffy's diary suggest he was in regular undisclosed contact with oil pipeline giant Enbridge and the Prime Minister during the height of the federal government's scorching attacks on environmental activists and charities in 2012.

The Duffy's journal shows a flurry of conversations and emails with or about top-level Enbridge executives, then PMO chief of staff Nigel Wright and the Prime Minister between January and June of

2012, just as the National Energy Board started its hearings on the Enbridge Northern Gateway pipeline proposal.

During this period, the federal government launched three parliamentary hearings, a senate inquiry and a major Canada Revenue Agency audit initiative focused on the activities of environmental charities, many of which opposed Northern Gateway.

None of the apparent contacts with Duffy were reported by Enbridge to the federal lobbyist registry, and Duffy's office redacted several key mentions of them.

The redacted entries include two exchanges between Prime Minister Harper and Duffy about Enbridge pipeline issues.

Duffy and his assistant, Mary McQuaid, made the redactions a year later before couriering the calendar pages to the PMO for a Senate probe into his expenses, said RCMP investigator Cpl. Greg Horton.

"Mary and I copied and redacted my four years of diaries," Duffy wrote in a 2013 email obtained by police.

But the suspended senator's entries are still legible. The black marks on his journal suggest a poor attempt to cover up, says Canada's lobbying watchdog.

"It's the worst case of redacting that I've seen in a long time," reacted René Leblanc, Deputy Commissioner of Lobbying on Monday, when shown the diary.

From late 2009 to the end of 2011, there are no redactions in the diary. Duffy redacted entries during the period from January through June, 2012, and the most frequent redaction concerns Enbridge or environmental charities — over a dozen in all.

Enbridge did not disclose to lobbying registry

None of Enbridge's calendared calls with Duffy were declared by the company to the federal lobbyist registry. The Lobbying Act requires firms to make detailed reporting of its contacts with public office holders, including senators.

Duffy's diary details his phone calls and emails with Steve Wuori, then-president of Enbridge Liquids Pipelines (five mentions), Enbridge board of director Jim Blanchard (two mentions), then-Prime Minister chief of staff Nigel Wright, public opinion pollster Dave Crapper (six mentions), and his long-time associate Bill Rodgers (nine mentions).

Rodgers is Duffy's former CTV colleague turned cabinet communications director. According to *Le Devoir*, Rodgers lost his government post in May 2011, and Duffy put him to work in early 2012 using an alleged taxpayer-paid scheme now under scrutiny at Duffy's bribery and breach of trust trial.

Before hiring him, Duffy's wrote of Rodgers' "future career plan (Pipelines)" in late 2011. And *Le*

Devoir reports that Duffy used another long-time friend — Gerald Donohue to flow taxpayer dollars to Rodgers for raising “energy issues” in the public eye.

Crucially, Duffy’s telephone conversations with Enbridge executives occurred before two national Conservative Party caucus meetings in February and April 2012, where exchanges about Enbridge were made with Prime Minister Harper about the company’s pipelines. His entries read:

- Jan.6, 2012, 6 p.m. “Telcons Steve Wuori, Dave Crapper, Vivian Krause + Bill Rodgers” (with strike outs)
- Jan.11, 2012, 4:30 p.m. “Telcon Bill Rodgers re: Enbridge” (with strike outs)
- Jan.11, 2012 - 7:35 p.m. "More Bill call back from Enbridge" (with strike outs)
- Feb. 9, 2012, 5:00p.m. "Telcon Bill Rodgers re: Enbridge" (with strike outs)
- Feb. 9. 2012, 6:30pm “Dinner @ Eastside Mario’s emails Nigel Wright on CTV, Bob Fife etc + Telcons Steve Wuori & Bill Rodgers re pipeline” (with strike outs)

Calendar

	Start	End	Category	Description
11	4:30 PM	4:35 PM		Telcon Bill Rodgers re: Enbridge
Jan 2012	7:35 PM	7:40 PM		More Bill call back from Enbridge
	8:16 PM	8:21 PM		Bob Fife re: Bill Rodgers CTV

Redacted entries regarding Enbridge from Senator Mike Duffy's diary

Then, two days after the Feb.15 Conservative caucus meeting, the diary suggests Stephen Harper told Duffy:

“PM asks “Send me a note on Enbridge Line #9 problems” (with strike outs).

Duffy then worked the phone and emails to Enbridge and the PMO:

- Feb.20, 2012 - “Send note to Jim Blanchard & Steve Wuori + Nigel Wright re: Enbridge” (not struck out)
- Feb.21, 2012 - “Telcon - Jim Blanchard re: Enbridge” (not struck out, marker bleedthrough from previous page)
- Apr. 2, 2012 - "Telcons - Steve Wuori, Bill Rodgers & Dave Crapper” (not struck out)

	2:05 PM	2:10 PM		Send note to Jim Blanchard & Steve Wuori + Nigel Wright re Enbridge
	10:15 PM	10:20 PM		Send note to Franco Lagace re: Ottawa ICF & CRA
21	7:00 AM	7:05 AM	247.4	
Jan 2012	9:50 AM	9:55 AM		Telcon re: C-10
	11:30 AM	11:35 AM		Telcon - Jim Blanchard re Enbridge
	1:00 PM	1:05 PM		H&M to Eff: Photo & to Best Buy for Samsung 55 inch TV

Entries regarding Enbridge from Mike Duffy's diary

After his communications with Enbridge, Duffy speaks to the Prime Minister and the entire Conservative caucus about its multi-billion-dollar pipelines.

- Apr. 4, 2012 - “National caucus - MD speaks to PM re: Enbridge Gateway pipelines” (strike outs)”
- Apr. 4, 2012 - 6 p.m. "Telcons Steve Wuori, Bill Rodgers & Dave Crapper"

Later that same evening, Duffy's journal says he also calls Enbridge's Steve Wuori “re: Bill Rodgers & Dave Crapper.”

All of Duffy's calls with Enbridge followed a Prime Ministerial directive in late 2011 to find “creative solutions” to get Alberta oil to tidal waters.

Harper had just received an urgent phone call with bad news from the White House: U.S. President Barack Obama said he would delay his decision on Canada's Keystone XL pipeline into the U.S. in late 2011.

Enbridge's Northern Gateway was then seen to be the “most imminent option” by cabinet to pump oil to the West coast according to a source who attended a subsequent Harper strategy meeting, the *National Post* reported.

The Office of the Commissioner of Lobbying of Canada confirmed Monday that Enbridge did not register any of these early 2012 communications with Senator Mike Duffy. The office is now looking into the matter.

Reached for comment in Ottawa, veteran Liberal Senator and former Vancouver mayor Larry Campbell was critical of Enbridge's failure to report its contact with Duffy.

“It would seem to me... that this is a reportable lobbying event,” he said.

As for the reasons behind Duffy's redactions, Campbell was reluctant to speculate.

However, he ventured: “It confounds me how intelligent people can somehow alter an electronic diary or even a written (one). It's like getting a redacted document under Freedom of Information. What the hell did they black out, and why?... It could be caucus confidentiality, it could be confidentiality between the PM and Duffy.

"Duffy is going to have to explain it, that's all there is to it."

Enbridge has registered 215 monthly lobbying reports — but none of them mention Senator Duffy. Another oil sands firm, Laricina Energy, did disclose its lobbying communications with Senator Duffy in 2012.

Enbridge's manager of communications Ivan Giesbrecht was reached Monday, and was then emailed a list of questions. The company did not respond before a Tuesday noon deadline.

The Prime Minister's office was also contacted Tuesday morning for comment, but did not respond.

Duffy's diary also shows he was in regular touch with former Sun News Network host Ezra Levant. Levant is expected to testify imminently in Duffy's bribery and breach of trust trial.

Duffy's numerous social contacts with cabinet ministers and senior bureaucrats, and cocktail parties at 24 Sussex, suggest he was one of the ultimate insiders in the Conservative Party.

He was appointed to the Senate by Prime Minister Harper in 2009, following a long career in broadcasting on federal politics.

125. **Attachment 57** on May 4, 2015 I wrote to the Grand River Environmental Network (GREN) an email that states:

I told the MNR official how both farming activities and the subdivision are all happening within the capture zone of the lake. The area is naturally a giant basin really. I visited it last week to do a litter clean up. I was on the site and a small plane flew over my head as I was picking up the trash. 10 minutes later a Police forensic van pulls up beside me with a cop asking me what I'm doing there. I simply pointed to the pile of unbagged garbage and told him I was cleaning up the litter. I found it rather odd. I was standing there in mom jeans and fluorescent pink T-shirt with trash in my hands. I'm thinking he's a forensic officer. Did he really have to ask? Either way he gave me a thumbs up and off he went.

The location of this event was on Roseville Road in Cambridge beside Barrie's Lake. It's a remote country roadway.

126. **Attachment 58** I sent an email on May 9, 2015 to my friends Sue Stubby, Temera Brown, Connie Cody and Laura Rocque that states:

I've been a member of Frogwatch for 7 years and it was nice and warm Friday night so I went out around midnight to do recordings for my frog reports. I record them, identify the type and how many and give the data to frogwatch along with the occasional frog photo.

So I'm on Erbsville Road to the north of Waterloo beside a large turtle pond with my phone in hand about to record the critters when I see flashing lights behind me. A cop car pulls over and the officer asks me what I'm up to. I told him, Frogwatch. I am recording frogs. He asks, "Seriously?" I said "Seriously." He said "OK" and off he went.

127. **Attachment 59 page 1** June 6, 2015 I wrote an email titled: Funding of Green Energy/Pipeline and Donuts and sent it to the Prime Minister Harper, Govenor General David Johnson, Mr. Trudeau,

Mr. Mulcair, Ms. May, Mr. Dion, Ms. Aglukkaq, my MP Peter Braid and others. I stated the following:

Dear Hon. Prime Minister, his Excellency the Right and Hon. David Johnson and Hon. Ministers

Today CBC released a news story stating that it was hard to invest in Green Energy without investing in Big Oil companies.

<http://www.cbc.ca/news/canada/calgary/difficult-to-invest-in-green-energy-in-canada-without-big-oil-1.3100233>

This makes me worried about the sale of Hydro One. Will that go to funding more fossil fuel expansions? Can the public have clarity on this issue please?

In response I would like to relay the following information because I know Line 9 is being funded in part, by green energy investment monies.

The reason I found that was because oil dropped 60% the 3rd quarter of 2014 and yet Enbridge Inc. 2014 fiscal report declared a profit in spite of falling oil values and in spite of the delayed opening of Line 9. There was no rational way they could not have taken a loss so clearly they must have found money somewhere else. So I started following the money.

On the SEDAR website <http://sedar.com> I did a name search for both Enbridge Inc and Enbridge Investments Holdings Inc and found they transferred over 1.5 billion in funds from the Investment company to support Enbridge Inc. who is in charge of the Line 9 project. Money was flowing from Sept to Jan 2014.

Enbridge Inc. builds pipelines like Like 9. There is a separate company called Enbridge Investments Holding Inc. This other company has 400 megawatts of renewable and alternative power generation capacity as noted on their website: <http://www.enbridgeincomefund.com>

The International Consortium of Investigative Journalism search on Enbridge Investments Holdings Inc. shows how that firm is strongly sponsored with offshore oil investments in Hong Kong and Asia. In other words: Not subject to Canadian taxes. <https://offshoreleaks.icij.org/>

I spoke with the Alberta Security Exchange commission and confirmed that Enbridge Inc. and Enbridge Investment Holdings Inc. are indeed: TWO separate companies.

I mentioned how the NEB Act has laws about mergers and acquisitions and how they must be notified if there are mergers or acquisitions.

74. (1) A company shall not, without the leave of the Board,

(a) sell, transfer or lease to any person its pipeline, in whole or in part;

(b) purchase or lease any pipeline from any person;

(c) enter into an agreement for amalgamation with any other company; or

(d) abandon the operation of a pipeline.

Definition of “pipeline” and “company”

On Enbridge's website it states:

Enbridge Inc. announced plans to transfer the majority of its Canadian Liquids Pipelines business and certain Canadian renewable energy assets to Enbridge Income Fund. It is also reviewing a potential transfer of its directly held United States liquids pipelines assets to Enbridge Energy Partners, L.P.

Enbridge Inc. transferred natural gas and diluent pipeline interests to Enbridge Income Fund for proceeds of \$1.8 billion and finalized the transfer of the United States portion of Alberta Clipper Pipeline to Enbridge Energy Partners, L.P. for aggregate consideration of US\$1 billion

The link is here: <http://www.enbridge.com/MediaCentre/News.aspx?yearTab=en2015&id=1922003>

IS THERE ANY PAPERWORK TO SHOW THAT THE NEB APPROVED THE TRANSFER OF THESE PIPELINES? Please respond in writing.

I would like to request a copy of this related paperwork if it does exist. If not I want to be informed of that too...in writing.

Economist Robyn Allen flagged similar issues with the Kinder Morgan pipeline project. How they moved funds from one company to the other ILLEGALLY.

<http://theyee.ca/News/2014/11/24/Kinder-Morgan-Breaking-Law-Economist-Alleges/>

She backed out of both Kinder Morgan Hearings and Northern Gateway over concerns of corruption.

<https://dogwoodinitiative.org/blog/robyn-allan-withdraws>

The issues she spoke on regarding the Kinder Morgan Hearings are the similar to the ones I personally observed as a delegate at BOTH Line 9 hearings. It was a kangaroo court process in my view. The EA for Line 9 was limited in scope to the area of the pumping stations only with everything off site deemed out of scope. Engineering concerns, structural integrity issues and even Enbridge's own data was ignored and deemed irrelevant when we referenced it to flag structural issues of the pipe off site.

The hearing process did not allow any chance to cross examine engineers. and it was specifically designed that way by the NEB as my documents show in the attachments, prove. I secured this with Freedom of Information and the lack of cross exam was clearly deemed a success by NEB staff.

The hearing was like a bad puppet show. We sat there, and spoke but but concerns were never addressed. There was no meaningful attempt to facilitate dialogue, resolutions or concessions during

the hearing process. Our specific questions were not reasonably answered. It was as if the responses came from a badly trained marketing team with no bona fide experience. I still have my response. They refused to answer simple questions like: How much is Line 9 insured for?

The staff at the Alberta Securities Exchange encouraged me to contact the National Energy Board and share my concerns. I did that and requested a written response on these concerns. I sent the email directly to their secretary and board members. There is no plausible deniability on their end. The emails I provided to them are below for your reference. I am still waiting for a reply.

This morning I read the following article in the National Observer titled: the Dominion of Enbridge Bullies Timmy's

<http://www.nationalobserver.com/2015/06/06/opinion/dominion-enbridge-bullies-timmys>

This article clearly shows how Federal Tory Ministers actually twittered support for the need of Enbridge commercials at Tim Horton's restaurants by initiating #BoycottTim's on Twitter on June 4th, 2015.

The implications of having federally elected officials using social media to push the virtues of Enbridge commercials at Tim Hortons to the Canadian public is preposterous, unreasonable and outrageously biased! The timing of the Twitter feeds is on record and Federal Ministers Poilievre, Rempel, Kenney either twittered directly from their seats in the House of Commons or were too busy to attend the 10am sitting.

Were Tory Ministers Poilievre, Rempel, Kennedy in the House of Commons when they twittered these messages?

Please respond in writing to me, to clarify where they were at the time of writing these messages.

Our government acts as regulator, promoter and enforcement agency for Natural Resources and via the Omnibus bill, Mr. Harper allowed these elected officials, to have VETO power over NEB decisions, including projects involving Enbridge. The implications of such matters should not be taken lightly.

I fail to see how this current government can reasonably maintain public confidence towards the NEB or the Federal Government when there is such compelling evidence to prove corporate bias on the part of these particular Ministers.

How will Mr. Harper address the issue of Federal Tory Ministers initiating and supporting a PUBLIC BOYCOTT against privately owned Tim Horton's Restaurants in order to support commercials that endorse privately owned Enbridge?

Why did this take place during their work hours using their WORK TWITTER ID's rather than private social media accounts? For example, Mr. Poilievre's twitter ID details reads:

@PierrePoilievre

MP for Nepean-Carleton, Canada's Minister of Employment & Social Development, Minister for Democratic Reform, and Minister responsible for the NC.

He clearly identifies himself as a Canadian Minister in his Twitter account ID. He participated and promoted a BOYCOTT without endorsement by the government for his actions. What are the consequences for such behaviors? Are there any?

Please provide the written responses in a timely manner.

128. **Attachment 60** This is power point from my friend Lorainne Caron Ph.D. from the group Les Citoyens au Courant. They are a group of citizens principally from the villages of Très-Saint-Rédempteur, Sainte-Justine-de-Newton, Rigaud and Pointe-Fortune. The power point shows how the NEB approved lowering the water pressure for the Line 9 hydrostatic testing to the point it was not up to code. The tests cannot reasonably determine risks at these low levels.

129. **Attachment 61 page 7** August 17, 2015 I an email to Mr. Graham White of Enbridge that states:

From: Louise Lanteigne [mailto:butterflybluelu@rogers.com]
Sent: Monday, August 17, 2015 12:20 PM
To: Graham White
Subject: Line 9 inquiry

Hello Mr. White

Since the NEB Line 9 hearings there have been several acquisitions and ownership transfers made with Enbridge as noted in the press. I was curious about the current ownership of Enbridge Line 9. Is it still under Enbridge Pipelines Inc. currently?

Are there any future plans to merge that project with any other Enbridge firms?

Thanks

L. Lanteigne

130. **Attachment 61 page 7** On Aug. 17 I received a response from Mr. Graham White

From: Graham White <Graham.White@enbridge.com>
To: Louise Lanteigne <butterflybluelu@rogers.com>
Sent: Monday, August 17, 2015 3:55 Pm
Subject: RE: Line 9 inquiry

Hello, Louissette, I hope you are well. We have been conducting internal financial restructuring of assets in the past year or so, that will have no impact on our liability, levels of insurance, operations or continuing commitment to the safety and integrity of our operations. They are primarily for greater and easier access to, and ability to raise capital, for future major projects and increase dividends to shareholders. We have transferred many of the Liquids assets, including Line 9, to the Enbridge Income Fund. For more information here are our releases on this topic. Most recent:<http://www.enbridge.com/MediaCentre/News.aspx?yearTab=en2015&id=1934274>

And most explanatory: <http://www.enbridge.com/MediaCentre/News.aspx?yearTab=en2014&id=1902458>

There are no plans for merging with any external firms, this is an internal process to Enbridge owned and operated companies.

Regards,

Graham White

Enbridge Pipelines

131. **Attachment 61 page 7** August 17 I wrote to the NEB's Ms. Caza and stated:

From: Louissette Lanteigne [mailto:butterflybluelu@rogers.com]
Sent: Monday, August 17, 2015 7:06 PM
To: Library Bibliotheque
Subject: Line 9 from Enbridge Pipeline Inc. to Enbridge Investments Inc.

Hello Ms. Caza

Enbridge Line 9 was one of the assets that changed ownership from Enbridge Pipeline Inc. to Enbridge Investments Holdings Inc. as confirmed by Mr. Graham White of Enbridge Pipelines.

The question I have is very specific so it should be fairly easy to find hopefully. I would like to request the document(s) that gives NEB consent to Enbridge for this change of ownership of Enbridge Pipeline Inc.'s assets to Enbridge Investment Holdings Ltd. It is my understanding that is a normal process done to assure compliance with section 74 of the NEB Act.

I include the email from Mr. White below for your reference to show the restructuring of assets including Line 9.

Thank you kindly for your time.
Louissette Lanteigne
700 Star Flower Ave.
Waterloo Ont.

N2V 2L2

131. **Attachment 62 page 1** Aug. 18, 2015 I received this response from Andrea Caza from the NEB

From: Library Bibliotheque <library@neb-one.gc.ca>
To: Louise Lanteigne <butterflybluelu@rogers.com>
Sent: Tuesday, August 18, 2015 12:30 PM
Subject: RE: Line 9 from Enbridge Pipeline Inc. to Enbridge Investments Inc.

Good morning Louise,

Enbridge is not required to seek NEB authorization under s.74 of the NEB Act for the change in corporate structure noted below, and has not done so. Hence, there is no documentation to provide in that regard.

Hope this helps.

Thank you,

Andrea

132. **Attachment 61 page 6** August 18 2015 I get the following email from Mr. Graham White of Enbridge

From: Graham White <Graham.White@enbridge.com>
Date: 08-18-2015 4:44 PM (GMT-05:00)
To: Louise Lanteigne <butterflybluelu@rogers.com>
Subject: RE: Line 9 inquiry

Hello, again, Ms. Lanteigne. To be clear, the ownership transfer and financial restructuring has nothing to do with hydrotesting of Line 9 or any other line. It was conceived of and executed well before any NEB mandated requirement for hydrotesting on the line. Also, stakeholders and/or municipalities would not have to manage interactions with more than one entity, as our liability obligation does not change and asset transfers are from one entity to another, not to a variety of holdings. There is, in fact, more consolidation of assets now than before. If you have any further questions, or require further clarifications, please let me know and I would be happy assist you.

Regards,
Graham

133. **Attachment 61 page 6** Aug. 21,2015 I sent the following email to Katherine Murphy of the

NEB's communications department.

From: butterflybluelu [mailto:butterflybluelu@rogers.com]
Sent: Friday, August 21, 2015 10:21 AM
To: Katherine L. Murphy - Communications
Subject: Fwd: RE: Line 9 inquiry

Hi Ms. Murphy

The response I got from Mr. Graham White implied transfer of assets and ownership change of Line 9 as a past tense occurrence. The emails below imply this. The SEDAR website clearly shows transfers of assets between Enbridge Pipeline Inc. And Enbridge Income Fund.

I spoke with Mr. Thakur, the legal counsel at the Alberta Securities Exchange Commission who confirmed that Enbridge Pipeline Inc. is legally a "company" under the definition of the NEB Act section 2. For Enbridge Pipeline Inc. to transfer assets, amalgamate or change ownership requires the permission of the NEB to comply with section 74 of the NEB Act.

Is the NEB aware of the roll of Enbridge Income Funds being the new owner of Line 9 as Mr. White's emails seem to suggest?

Louisette Lanteigne
700 Star Flower Ace
Waterloo Ontario
N2V 2L2

134. Attachment 63 On August 23, 2015 I sent an email titled Line 9: Cease and Desist requested which I shared with the Governor General, my local MP and list of Federal and Provincial MP's in an attempt to flag the fact the hydrological studies being done on Line 9 are insufficient and there is a lack of NEB approval for the Transfer of Assets including Line 9 from Enbridge Pipeline Inc. to Enbridge Income Fund. It states:

To his Excellency the Right Honourable David Johnson,
Honourable Ministers et al.

Graham White of Enbridge Pipelines notified me that Enbridge Pipeline Inc. has transferred assets including Line 9 to Enbridge Income Fund as per this correspondence sent to me by email.

From: Graham White
Sent: Monday, August 17, 2015 1:56 PM
To: 'Louisette Lanteigne'
Subject: RE: Line 9 inquiry

Hello, Louissette, I hope you are well. We have been conducting internal financial restructuring of assets in the past year or so, that will have no impact on our liability, levels of insurance, operations or continuing commitment to the safety and integrity of our operations. They are primarily for greater and easier access to, and ability to raise capital, for future major projects and increase dividends to shareholders. We have transferred many of the Liquids assets, including Line 9, to the Enbridge Income Fund.

For more information here are our releases on this topic. Most recent:

<http://www.enbridge.com/MediaCentre/News.aspx?yearTab=en2015&id=1934274>

And most explanatory:

<http://www.enbridge.com/MediaCentre/News.aspx?yearTab=en2014&id=1902458>

There are no plans for merging with any external firms, this is an internal process to Enbridge owned and operated companies.

Regards,
Graham White
Enbridge Pipelines

In response I called Alberta Securities Exchange legal council, Rajeeve Thakur who confirmed to me by phone, that Enbridge Pipeline Inc. is indeed a company according to the NEB Act section 2 definition of the word.

“company” includes

- (a) a person having authority under a Special Act to construct or operate a pipeline, and
- (b) a body corporate incorporated or continued under the Canada Business Corporations Act and not discontinued under that Act;

I contacted the NEB directly and found there was no attempt to request permission from the Board transfer the ownership or assets from Enbridge Pipeline Inc. to Enbridge Income Fund and I have documentation by both the NEB and Mr. Graham White of Enbridge to prove this. This act may be a violation of section 74 of the NEB Act which states:

Limitations on purchase and sale, etc.

74. (1) A company shall not, without the leave of the Board,
- (a) sell, transfer or lease to any person its pipeline, in whole or in part;
 - (b) purchase or lease any pipeline from any person;
 - (c) enter into an agreement for amalgamation with any other company; or
 - (d) abandon the operation of a pipeline.

Definition of “pipeline” and “company”

Here is a news story regarding the concerns:

<http://www.nationalobserver.com/2015/08/20/news/controversial-pipeline-changing-hands>

On June 18, the NEB order secured only a partial test of Line 9 for hydrostatic testing with tests to be done on two sections of pipe near Mirabel Quebec which took place last week. There was a public protest regarding the flawed engineering protocols of the actual testing. Details here:

<http://www.cbc.ca/news/canada/montreal/enbridge-line-9b-pipeline-reversal-testing-not-good-enough-residents-say-1.3200506>

The test level was to run at 100% SMYS (Specified Minimum Yield Strength) but on July 22, 2015 Enbridge submitted a test plan to the NEB which reduced it to 93% SMYS and on July 24 the NEB modified its order to allow Enbridge to test at the lower level. The margin of safety lost as a result of this is unreasonable. There is a chart in the attachment to illustrate the lost margin of safety as a result of the decrease of testing pressure.

Technically speaking the levels don't even comply with Enbridge's Brochure on Hydrostatic Testing which states:

Typically hydrostatic test pressures are about 1.25 to 1.5 times higher than the normal maximum operating pressure.

Source: <http://s3.documentcloud.org/documents/724930/hydrostaticpressure-testing.pdf>

We must demand better testing in order to reasonably protect the public, our environment and the long term security of Canadian and US water supplies.

We must also investigate the compliance of this firm in regards to section 74 of the NEB Act and examine what the implications are for municipalities, provinces and federal levels with this transfer of assets. Who actually owns Line 9 right now?

Until we can resolve these issues I am requesting that the Province of Ontario or Federal Ministries proceed to secure a cease and desist to stop the ongoing hydrostatic testing.

Thank you kindly for your time.

Louisette Lanteigne
700 Star Flower Ave.
Waterloo Ont
N2V 2L2

135. **Attachment 61 page 5** On August 24, 2015 I received this email response from Katherine Murphy at the NEB

From: Katherine L. Murphy - Communications <KatherineL.Murphy@neb-one.gc.ca>

To: butterflybluelu <butterflybluelu@rogers.com>

Sent: Monday, August 24, 2015 1:36 PM

Subject: RE: RE: Line 9 inquiry

Ms. Lanteigne,

Ownership of Line 9B did not transfer. It has remained with Enbridge Pipelines Inc.

Enbridge is not required to seek NEB authorization under s.74 of the NEB Act for the change in corporate structure discussed below, and has not done so.

Regards,
Katherine

Katherine Murphy

Communications Officer | Agente des communications
National Energy Board | 517 Tenth Avenue SW, Calgary, Alberta
Office national de l'énergie | 517, Dixième Avenue S.-O. Calgary (Alberta)
Government of Canada | Gouvernement du Canada
telephone / téléphone : 587-538-2120
KatherineL.Murphy@neb-one.gc.ca
www.neb-one.gc.ca

Follow us on Twitter: @NEBCanada
Suivez-nous sur Twitter : @ONE_NEBCanada

136. **Attachment 61 page 3** On August 26, 2015 I wrote the following email and sent it to the TSB's Securitas investigations department, Katherine Murphy of the NEB, the RCMP, Elizabeth May, Justin Trudeau and Thomas Mulcair and I wrote the following:

From: Louise Lanteigne <butterflybluelu@rogers.com>
To: Katherine L. Murphy - Communications <KatherineL.Murphy@neb-one.gc.ca>; Securitas <securitas@bst-tsb.gc.ca>; "nsin_risn@rcmp-grc.gc.ca" <nsin_risn@rcmp-grc.gc.ca>; Elizabeth May <elizabeth.may@parl.gc.ca>; "justin.trudeau@parl.gc.ca" <justin.trudeau@parl.gc.ca>; Tom Mulcair <thomas.mulcair@parl.gc.ca>
Sent: Wednesday, August 26, 2015 11:23 AM
Subject: Line 9 information request from Louise Lanteigne

Is there any previous documents to show the NEB was asked permission to facilitate the previous ownership transitions associated with this pipeline? Here is the list of transitions I am referring to:

In regards to the previous ownership of Line 9, Interprovincial Pipe Line Ltd. changed its name to Interhome Energy Inc., in 1988, Is there any documentation to show the NEB was informed of the name change or documents to show the NEB permitted this change?

Interprovincial Pipe Line Inc. was acquired by Interprovincial Pipe Line System Inc. in 1992. Is there any documentation to show that the NEB permitted this acquisition in compliance to section 74 of the NEB Act?

Interprovincial Pipe Line System Inc.'s name changed to IPL Energy Inc. in 1994. Was there any written notice provided to the NEB or consent given by the NEB about this change?

The name changed to Enbridge Inc. in 1998. Was there any written notice provided to the NEB or consent given by the NEB about this change?

If so I want a copy of that information please.

The Concern I have is that right now Enbridge Line 9 is going through Hydrostatic testing in Ontario. I want to know that the current OWNER has the legal authority to conduct the work. I want to know if the CURRENT OWNER is authorized to do work on this pipe and has been given ownership in compliance with section 74 of the NEB Act. If they have abided by the law to secure this ownership...PROVE IT.

Louisette Lanteigne
700 Star Flower Ave.
Waterloo ON
N2V 2L2

137. **Attachment 61 page 2** August 26 I relayed the following concerns to First Nation's groups, solicitors, Premier Kathleen Wynne, Provincial and Federal Ministers, the TSB, the NEB, the RCMP and others

From: Louisette Lanteigne <butterflybluelu@rogers.com>
To: Katherine L. Murphy - Communications <KatherineL.Murphy@neb-one.gc.ca>; Securitas <securitas@bst-tsb.gc.ca>; "nsin_risn@rcmp-grc.gc.ca" <nsin_risn@rcmp-grc.gc.ca>; Elizabeth May <elizabeth.may@parl.gc.ca>; "justin.trudeau@parl.gc.ca" <justin.trudeau@parl.gc.ca>; Tom Mulcair <thomas.mulcair@parl.gc.ca>; DionStéphane [NCR] <stephane.dion@parl.gc.ca>; Francis Scarpaleggia <francis.scarpaleggia@parl.gc.ca>; "premier@ontario.ca" <premier@ontario.ca>; Write2us (ENERGY) <write2us@ontario.ca>; "minister.moe@ontario.ca" <minister.moe@ontario.ca>; MIN Feedback (MNR) <minister.mnr@ontario.ca>; Min.Aglukkaq [NCR] <min.aglukkaq@ec.gc.ca>; Andrea Horwath <ahorwath-qp@ndp.on.ca>; Secretary <secretary@neb-one.gc.ca>; Kennedy Stewart <kennedy.stewart@parl.gc.ca>; Myeengun Henry <mhenry@conestogac.on.ca>; "palmater@indigenousnationhood.com" <palmater@indigenousnationhood.com>; Jessica Molnar

<jmolnar@ecojustice.ca>; Steven Shrybman <sshrybman@sgmlaw.com>; Steven Guilbeault (Public) <guilbeault@equiterre.org>; Sarah Snake <ssnake@nncfirm.ca>; John Goudy <jgoudy@scottpetrie.com>

Sent: Wednesday, August 26, 2015 12:51 PM

Subject: Re: Line 9 information request from Louise Lanteigne

I want to secure all copies of the APPLICATION CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY related to Line 9 oil pipeline both past and current please.

I want prove who owns the pipe and that prior transfers of assets and ownership were in compliance with section 74 of the NEB Act.

Thank you kindly for your time.

Louise Lanteigne
700 Star Flower Ave.
Waterloo ON
N2V 2L2

138. **Attachment 61 page 11** August 26, 2015 I contacted the Federal MNR Minister, the Provincial MNR Minister, the RCMP and National Security and relayed the following:

From: Louise Lanteigne <butterflybluelu@rogers.com>
To: "Kellie.Leitch@parl.gc.ca" <Kellie.Leitch@parl.gc.ca>; "nsin_risn@rcmp-grc.gc.ca" <nsin_risn@rcmp-grc.gc.ca>; "NSCI_ECSN@rcmp-grc.gc.ca" <nsci_ecsn@rcmp-grc.gc.ca>; "whbohs@ontario.ca" <whbohs@ontario.ca>
Sent: Wednesday, August 26, 2015 2:34 PM
Subject: Line 9: Major issues happening

Dear Minister Leitch

I'm a housewife in Waterloo Ontario, a delegate of both hearings on Line 9 and I just flagged the fact that the NEB and Enbridge show conflicting information in regards to which entity actually owns Line 9 oil pipeline. This is an issue for Labour at the federal level because hydrostatic testing of the pipe is currently underway in Gananoque Ontario and next week in Port Hope Ontario. They just did work in Mirabel Quebec and there is no documents to prove who owns that pipe currently at the NEB level. They have no paperwork on the issue so that means the work being done may be illegal.

We already know the hydrostatic testing happening isn't up to code. Here is documentation about that in French:

<http://faitspipelines.com/resources/hydrotest-mirabel-lc.pdf>

The idea that a company can conduct hydrostatic testing on a pipe they do not own or cannot prove

they own is seriously disturbing to me, particularly when that line crosses over my regional water supply in Waterloo Region.

So I'd like to ask the Ministry of Labour to help and verify for me if either Enbridge Pipeline Inc. or Enbridge Income Fund ever had a Certificate of Public Convenience and Necessity aka CPCN permit to do work on Line 9. That is a certificate required to legally do work on a pipeline in Canada and that is what the NEB has problems providing to me in regards to this issue.

I contacted the RCMP, the OPP, the Provincial Ministry of Labour and now Federal Labour Minister earlier today. They have no jurisdictional power to do anything right now but I am working a trail based on what each agency has recommended in terms of my path to address this issue. I want to make sure there is no plausible deniability on this issue along the way so I provide the emails below for your reference. I was told this is a FEDERAL LABOUR issue now so now I am contacting you on this.

Have you any comments or recommended course of action I can take from here?

Thanks kindly for your time.

Louisette Lanteigne
700 Star Flower Ave.
Waterloo ON.
N2V 2L2

139. **Attachment 64** Appendix 2 to March 9 2015 Letter to the Board from Robyn Allen Kinder Morgan regarding Non-compliance Identified dated February 16 2015. This document shows many of the same concerns I saw with Enbridge Line 9. In response I phoned Ms. Robyn Allen on August 28, 2015. We spoke and Ms. Allen advised that I contact the NEB chair right away to secure any documents regarding the Transfer of Assets of Line 9. So that is what I did.

140. **Attachment 65 the end of page 2** is the first email I exchanged with Chair of the NEB Peter Watson. This was shared with Mr. Daniel Anthony of the OPP because I wanted a police officer to witness this. I had already spoken to him on the phone regarding Line 9 concerns. I told him about the concern I had for the hydrostatic testing because if the transfer of assets was not done right, the testing happening in Ontario may lack proper certification. I didn't have any evidence from the NEB to suggest that transferred of assets took place between Enbridge Pipeline Inc to Enbridge Income Fund. So to clarify matters I attached his email to the correspondences with the NEB chair. He didn't ask for that nor did he have any idea I would do that. It was just something I felt would be a good thing to do. I wanted a witness to this process. I trusted him as a police officer. Here is the first email I sent to Peter Watson.

From: Louisette Lanteigne
Sent: Friday, August 28, 2015 12:11 PM

To: peter.watson@neb-one.gc.ca; Anthony, Daniel (OPP)
Reply To: Louise Lanteigne
Subject: Line 9 CPCN permit

Dear Mr. Watson

I would like to secure a copy of the CPCN permit of Enbridge Pipeline Inc. for Line 9 oil pipeline please.

If you can provide me and Srg. Daniel Anthony of the Ontario Provincial Police with a copy of that document I would greatly appreciate it because currently work is underway in Gananoque to facilitate the hydrostatic testing and I have made repeated inquiries to the NEB to see this document and to date there is no proof this document exists.

I would like this issue addressed in timely manner because work is underway on that pipe. I want to make sure it is legal to do the job.

Thank you very much.

Louise Lanteigne
700 Star Flower Ave.
Waterloo Ont.
N2V 2L2

141. **Attachment 65 page 2** The Second email sent was from police officer Anthony Daniel OPP who wrote:

From: "Anthony, Daniel (OPP)" <Daniel.Anthony@opp.ca>
To: Louise Lanteigne <butterflybluelu@rogers.com>; "peter.watson@neb-one.gc.ca" <peter.watson@neb-one.gc.ca>
Cc: "Gralewicz, John (OPP)" <John.Gralewicz@opp.ca>; "Evans, Shawn (OPP)" <Shawn.Evans@opp.ca>
Sent: Friday, August 28, 2015 3:26 PM
Subject: Re: Line 9 CPCN permit

I am on the road today and Sgt Gralewicz will be resuming intake duties on monday. -I noticed you requested documents naming the police. I would. Kindly request you refrain from this format as the OPP has not made this request. The police are bound by law and judicial process when making such requests. I have not made this request.

Respectfully Sgt anthony

Sent from my BlackBerry 10 smartphone on the Bell network.

142. **Attachment 65 page 2** This is the third email to Mr. Watson and Mr. Anthony featured other

police that Mr. Anthony had CC'd. My idea at the time was the more officers to witness the better so I stated:

From: Louise Lanteigne <butterflybluelu@rogers.com>
To: "Anthony, Daniel (OPP)" <Daniel.Anthony@opp.ca>
Cc: "Gralewicz, John (OPP)" <John.Gralewicz@opp.ca>; "Evans, Shawn (OPP)" <Shawn.Evans@opp.ca>; "peter.watson@neb-one.gc.ca" <peter.watson@neb-one.gc.ca>
Sent: Friday, August 28, 2015 4:49 PM
Subject: Re: Line 9 CPCN permit

My apologies for any inconvenience this may have caused by way of the misunderstanding on my part.

It is a grave concern when a CPCN certificate to prove authorization appears to be lacking.

Can I get written confirmation that I will be provided with a copy of this certification please?

Louise Lanteigne
700 Star Flower ave.
Waterloo Ont.
N2V 2L2

143. **Attachment 65 page 2** is the email response from NEB Chair Mr Peter Watson which states:

----- Forwarded Message -----

From: Peter Watson <Peter.Watson@neb-one.gc.ca>
To: "butterflybluelu@rogers.com" <butterflybluelu@rogers.com>; "daniel.anthony@opp.ca" <daniel.anthony@opp.ca>
Sent: Friday, August 28, 2015 4:58 PM
Subject: RE: Line 9 CPCN permit

Dear Ms. Lanteigne:

Please find attached Certificate OC-30 and Order AO-001-OC-30 relating to Line 9 and the sale of a 533.4 metre section of the pipeline. For further information with respect to the history of Line 9, please review the Board's decision in [OH-002-2013](#).

The Board has not taken the view that corporate name changes require applications under the NEB Act: see the Board's letter of [20 April 2015](#). The Board's top priorities are the safety of Canadians and the protection of the environment. As the Board noted in its 20 April 2015 letter, corporate name changes do not impinge on the NEB's effectiveness as a regulator.

Regards,

C. Peter Watson, P. Eng. FCAE

Chair and CEO

144. **Attachment 66**, Mr. Watson's first attachment is OC-30: the CPCN permission for Interprovincial Pipeline Inc. as issued in March 22 1974.

145. **Attachment 67**, Mr Watson's second attachment
WHEREAS on 21 May 1975, the Board issued Certificate of Public Convenience and Necessity (CPCN) OC-30 to Interprovincial Pipe Line Inc. (IPL) now Enbridge,"

Attachment 65 Page 2 I responded to Mr. Watson and stated:

From: Louise Lanteigne <butterflybluelu@rogers.com>
To: "Anthony, Daniel (OPP)" <Daniel.Anthony@opp.ca>
Cc: "Gralewicz, John (OPP)" <John.Gralewicz@opp.ca>; "Evans, Shawn (OPP)" <Shawn.Evans@opp.ca>; "peter.watson@neb-one.gc.ca" <peter.watson@neb-one.gc.ca>
Sent: Friday, August 28, 2015 5:16 PM
Subject: Re: Line 9 CPCN permit

Dear Mr. Watson.

You sent me the Line 9 Reason of Decision which is not a certificate.

The CPCN you did provided isn't with Enbridge Pipeline Inc. In fact Enbridge wasn't even formed until 1988. The company named on the certificate no longer exists.

Is there any further documents that you can provide to show compliance to the NEB Act section 74 in regards to transfer of assets or acquisitions that may reasonably show a formal transfer of the pipeline ownership in compliance to the NEB Act?

Thank you for your assistance on this by the way. It is appreciated.
Louise Lanteigne
700 Star Flower Ave.
Waterloo Ont.
N2V 2L2

146. **Attachment 65 Page 2** is the next letter I sent to Mr. Watson to explain further concerns. I stated:

----- Forwarded Message -----

From: Louise Lanteigne <butterflybluelu@rogers.com>
To: "Anthony, Daniel (OPP)" <Daniel.Anthony@opp.ca>
Cc: "Gralewicz, John (OPP)" <John.Gralewicz@opp.ca>; "Evans, Shawn (OPP)" <Shawn.Evans@opp.ca>; "peter.watson@neb-one.gc.ca" <peter.watson@neb-one.gc.ca>
Sent: Friday, August 28, 2015 5:38 PM
Subject: Re: Line 9 CPCN permit

I would also like to point out that In the opening page of the NEB Hearing Order you provided. It states the following:

"WHEREAS on 21 May 1975, the Board issued Certificate of Public Convenience and Necessity (CPCN) OC-30 to Interprovincial Pipe Line Inc. (IPL) now Enbridge,"

I would like to state that it does not say to Enbridge Pipeline Inc. It simply states Enbridge.

Here is the Bloomberg site for Enbridge Pipeline Inc.

<http://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=794447>

Here is the Bloomberg site for Enbridge Inc.

<http://www.bloomberg.com/research/stocks/snapshot/snapshot.asp?ticker=ENB:CN>

They have separate boards entirely. They are not the same company.

I spoke with Alberta Securities Exchange solicitor Thakur who confirmed with me that Enbridge Pipeline Inc. is a company.

Where is evidence to suggest the CPCN is specific to Enbridge Pipeline Inc.?

Louisette Lanteigne

147. **Attachment 68.** August 29, 2015 the National Observer published the article titled Enbridge Line 9 changing hands written by Fram Dinshaw. This is the interview I gave to inform the public about the lack of NEB authorization regarding Transfer of Assets for Line 9. It states:

A controversial plan to ship oil sands bitumen across southern Ontario through a leak-prone pipeline took a new twist when the project changed ownership.

Ownership of the Enbridge Line 9 route was transferred from its parent company to the Enbridge Income Fund, at the same time when 60 kilometres of this route is undergoing hydrostatic testing to ensure its structural integrity.

“At a time when safety should be first and foremost on the minds of everyone involved with the Line 9 project, I find this ownership transfer timing is highly questionable,” said anti-Line 9 activist Louisette Lanteigne, a Waterloo resident who lives near the pipeline’s route.

Enbridge is proposing to reactivate the 38-year-old Line 9 pipeline, currently inactive since last year, to ship oil sands bitumen east from the U.S. via Sarnia to Quebec. Prior to being shut down, Line 9 carried lighter Middle East crude west from the Montreal Terminal, via North Westover Station, to either the Sarnia or Westover Terminals.

The pipeline has had [nearly one spill a year](#) since it was first built through Toronto and its environs 38 years ago, but municipalities often had no idea that any leakage had occurred, according to a Feb. 21, 2014, CTV report. The line had suffered 35 spills up to that date, five times more than those revealed to the regulators.

Enbridge spokesperson Graham White told CTV at that time that all spills on Line 9 were reported, but leakages inside oil facilities could not be considered pipeline incidents.

Nonetheless, Enbridge has also suffered ruptures on other pipelines, such as the 2010 [Kalamazoo incident](#).

It is this track record that worries Lanteigne and other Line 9 activists, who say that hydrostatic testing must be carried out along the whole route and any mergers deferred until after such testing occurs, to ensure that the proper insurance and emergency protocols were in place to protect the public.

Hydrostatic testing is carried out by pumping water at high pressure through a pipeline to test its structural integrity and scope out any weak points at risk of rupture. Lanteigne and her fellow activists are calling on the National Energy Board (NEB) to order testing along the whole length of Line 9 instead of segments totalling 60 or so kilometres near Montreal and Kingston currently underway.

But White said that the ownership transfer and financial restructuring had nothing to do with the hydro-testing of Line 9 or any other pipeline, saying that it was conceived “well before” any NEB requirement for hydrostatic testing, in an email to Lanteigne dated Aug. 18. The *National Observer* also attempted to ask White about this issue.

Shell games?

Lanteigne said that any new company operating the line had to not only assume all the liability and risks, but also notify First Nations, municipalities, and land owners regarding the pipeline sale, before hydrostatic testing could commence in earnest.

But Lanteigne, who has previously attended public hearings regarding Enbridge’s proposal to use Line 9 for transporting bitumen, maintained that handing the route to a new owner could potentially compromise safety, despite White’s reassurances to the contrary.

“The more companies they add to the mix the more costly liability risks become,” said Lanteigne. “It becomes very costly very quickly to sue, when multiple companies are involved with the same pipe.”

John Quarterly, chair of the Chessmen Media Group, said that corporations often set up several layers of shell companies that force plaintiffs to sue through all the different levels, resulting in expensive court cases that can drag on for years. He alleged that such tactics were used by big companies to divest themselves of any responsibility in the event of disasters like a major oil spill.

"I do not know how many of you know how the corporations protect themselves from being sued," said Quarterly in an email to Lanteigne. "They keep setting up subsidiaries that have shares in the company which they have split off from."

However White told Lanteigne that stakeholders and municipalities would not have to manage interactions with more than one entity, as Enbridge's liability obligation would not change and asset transfers will be from one entity to another, not to a variety of holdings.

"There is, in fact, more consolidation of assets now than before," said White in his message to Lanteigne.

According to a media release dated June 18, Enbridge Income Fund Holdings Inc. (the company) and Enbridge Income Fund concluded a deal worth \$30.4 billion with Enbridge Inc. and IPL System Inc., a wholly-owned subsidiary of Enbridge Inc. to acquire the company's Canadian Liquids Pipelines business, comprised of Enbridge Pipelines Inc., Enbridge Pipelines Athabasca Inc., and certain Canadian renewable energy assets.

"We have been conducting internal financial restructuring of assets in the past year or so that will have no impact on our liability, levels of insurance, operations or continuing commitment to the safety and integrity of our operations. They are primarily for greater and easier access to, and ability to raise capital, for future major projects and increase dividends to shareholders. We have transferred many of the Liquids assets, including Line 9, to the Enbridge Income Fund," said White in an email to Lanteigne on Aug. 17.

"There are no plans for merging with any external firms, this is an internal process to Enbridge-owned and operated companies."

Possible violations?

Lanteigne also contacted the National Energy Board (NEB) to request documents that permitted Enbridge to change ownership of Enbridge Pipeline Inc.'s assets to Enbridge Investment Holdings Ltd, saying that "It is my understanding that is a normal process done to assure compliance with section 74 of the NEB Act."

"Enbridge is not required to seek NEB authorization under section 74 of the NEB Act for the change in corporate structure noted below, and has not done so. Hence, there is no documentation to provide in that regard," said the NEB's Andrea Caza in an emailed reply to Lanteigne on Aug. 18.

But Lanteigne maintained that if the Enbridge Pipeline Inc. and Enbridge Income Fund were indeed two separate companies, then section 74 of the NEB Act would have been violated.

"If Enbridge Pipeline Inc. and Enbridge Income Fund are not actually individual companies because

they are both part of Enbridge Inc. as Mr. White suggests, then it is reasonable to state that all NEB documents that refer to Enbridge Pipeline Inc. as a company are null and void due to the simple fact that Enbridge Pipeline Inc. is not a company," said Lanteigne. "The entire process was focused on Enbridge Pipeline Inc. as the applicant."

The *National Observer* tried contacting Enbridge's Graham White several times for more information, but did not receive a response at time of writing.

148. **Attachment 69** I had filed a formal complaint out of concern for the safety of Line 9 and the lack of proper hydrostatic testing with the Technical Safety Board's (TSB) Securitas website. This is what they provided me in response on September 1, 2015.

Dear Ms. Lanteigne,

We have reviewed your letters and requests. The concern raised appears to be a regulatory compliance issue, and as such is not within the TSB's mandate. However, we could forward your correspondence to the regulator (National Energy Board) for their information / consideration, if you have not already done so. Since the information was provided to our confidential reporting program Securitas, we will require your explicit authorization to share that information, as well as your contact information. Please let me know whether you authorize us to share that information.

Trusted agent,
Darlene

Securitas, Securitas@bst-tsb.gc.ca

Securitas / Enquêtes Air/Marine/Rail
Bureau de la sécurité des transports du Canada / Gouvernement du Canada
Securitas@bst-tsb.gc.ca / Tél.: / ATS: 819-953-7287

Securitas / Air/Rail/Marine Investigations
Transportation Safety Board of Canada / Government of Canada
Securitas@tsb-bst.gc.ca / Tel: / TTY: 819-953-7287

149. **Attachment 69** I wrote back to the TSB quickly to state:

Yes that would be fine.

Thank you for your help.

Louissette Lanteigne
700 Star Flower Ave.
Waterloo Ontario

N2V 2L2

150. **Attachment 61 page 10** On September 1, 2015 I got the Ontario Ministry of Labour response to my concerns. They stated:

From: webohs (MOL) <webohs@ontario.ca>
To: Louise Lanteigne <butterflybluelu@rogers.com>
Sent: Tuesday, September 1, 2015 1:54 PM
Subject: MOL Inquiry: Line 9

Dear Ms. Lanteigne,

Thank you for your email to the Ministry of Labour (MOL) regarding ownership of Line 9.

The Occupational Health and Safety Act (OHSA) speaks to hazards to workers and does not address issues of ownership. The OHSA is a provincial statute applicable to workers and employers under the authority of the Province of Ontario. It does not apply to workers who are regulated by the federal government. Canals, pipelines, tunnels and bridges that cross provincial or national borders are workplaces regulated by the federal government.

If you have health and safety concerns for workers who are regulated by the federal government, you may wish to contact Labour Canada at 1-800-641-4049.

If you have any further questions about jurisdiction or would like to report a health and safety hazard to provincially-regulated workers, please call the Ministry of Labour's Provincial Health and Safety Contact Centre at 1-877-202-0008.

Thank you and have a safe day,

Web OHS Coordinator

Ministry of Labour Health and Safety Contact Centre
1-877-202-0008
webohs@ontario.ca
www.labour.gov.on.ca

Legal Disclaimer: Please note that this response has been prepared based on the information you provided to assist in understanding the Occupational Health and Safety Act and the regulations. It is not intended to replace the Act or the regulations, and reference should always be made to the official text of the legislation. This email is not a binding ruling on the application of the Occupational Health and Safety Act or Regulations. Such a ruling can be made only by an Health and Safety Inspector following a full investigation, by the Ontario Labour Relations Board or, ultimately by the courts. The views in this e-mail would not be binding on the inspector, Board or courts, who might well take a different view of the matter than the one expressed here.

It is the responsibility of the workplace parties to ensure compliance with the law; if you require assistance with respect to the interpretation of the legislation and its potential application in your specific circumstances, please contact a lawyer.

Confidentiality Warning: This email contains information intended only for the use of the individual named above. If you have received this email in error, we would appreciate it if you could advise by replying to this email and destroy all copies of this message. Thank you.

September 2, 2015 I wrote the following to OPP Daniel Anthony:

151. **Attachment 61 page 1** From: Louise Lanteigne <butterflybluelu@rogers.com>
To: "Anthony, Daniel (OPP)" <Daniel.Anthony@opp.ca>
Sent: Wednesday, September 2, 2015 1:22 PM
Subject: Re: Enbridge Pipe Line - Sept 2 emails - intake

Does Enbridge have a bona fide CPCN to apply to the work being done by Enbridge? That is not a complex question.

If work is being done by an unauthorized entity I fail to understand how this can be deemed outside the scope of any law agency

There are no LEGAL DOCUMENTS to prove that they have the right to touch that pipe. That is the only thing I am seeking here

What actual document binds the CPCN permit to Enbridge or Enbridge Pipeline Inc.?

This is MANDATED by the NEB Act. The NEB have provided no proof to show they actually permitted the transfer of assets of Line 9.

I feel like I am being stonewalled on this matter. It is a very simple question. Do they or don't they have a legal CPCN document that authorized them to do this work?

152. **Attachment 70** September 2, 2016 I got an email from Daniel Anthony of the OPP who wrote:

From: "Anthony, Daniel (OPP)" <Daniel.Anthony@opp.ca>
To: 'Louise Lanteigne' <butterflybluelu@rogers.com>
Sent: Wednesday, September 2, 2015 4:52 PM
Subject: RE: Concerns regarding Enbridge Line 9 CPCN

I have forwarded your information to the College of Trades to review.

D/Sgt. Anthony

153. **Attachment 71** On Sept 3,2015 I received an email from John Gralewicz of the OPP who stated:

Louissette,

Please be advised that D/Sgt. Anthony is no longer the acting OPP Anti-Rackets Intake Officer and please forward any further emails etc. to me.

I have reviewed all your information to date and agree with D/Sgt. Anthony's decision that this is a Federal Matter and does not fall into the OPP Anti- Rackets Mandate.

I am sorry we cannot be of further assistance to you at this time.

Thank You

D/Sgt. John Gralewicz
Ontario Provincial Police
Anti-Rackets Branch
Intake/Support/Operations Manager
Orillia, Ontario
705-329-6433

154. Attachment 72 On Sept 8, 2015 I received the final written response from the NEB which states:
(on next page)



Ms. Louise Lanteigne
700 Star Flower Avenue
Waterloo, ON N2V 2L2
Email butterflyblue@rogers.com

8 September 2015

Dear Ms. Lanteigne:

**Enbridge Pipelines Inc. (Enbridge)
Line 9
Request for documentation on s.74, pipeline ownership**

Public safety and the protection of the environment are the top priorities of the National Energy Board (NEB). The NEB accomplishes this by holding companies accountable for the safe operation of their pipelines. If the NEB is not convinced that a pipeline is safely operating in a manner that protects communities and the environment, the company will not be allowed to operate that pipeline.

We acknowledge receipt of the emails that you sent to the NEB Chair and CEO, Peter Watson, in addition to the several emails sent to various staff from August 18, 2015 to present on the topics of the ownership and integrity of Line 9. However, you have not provided sufficient evidence to demonstrate that any non-compliances have taken place, or that there are threats to safe pipeline operation that the Board has not already addressed.

Corporate changes of the type you noted do not impinge on the NEB's effectiveness as a regulator of pipelines in the Canadian public interest. They do not detract from the full accountability to the Board and liability of the certificate holders (regardless of name changes) for the safe and secure operation of pipelines.

You also addressed the compliance of Line 9B with CSA Z662-11. This matter was considered as part of the OH-002-2013 hearing and discussed in the Board's Reasons for Decision. Facilities built under older versions of the CSA standard are assessed as to whether they remain safe to operate.

.../2

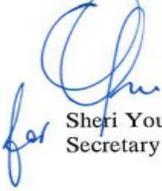
The NEB will continue to take a proactive approach to pipeline safety by verifying that the companies we regulate adhere to our requirements, and specifically to the conditions of our Orders and Certificates, through inspections, investigations, and audits.

Should companies fail to live up to their commitments around safety and environmental protection, the NEB will not hesitate to take strong enforcement action.

Individuals who wish to raise issues with the NEB must file their documents through the NEB's electronic document submission portal, addressing evidence to the Secretary of the Board and at the same time serve the relevant company. Procedural fairness dictates that all parties involved must have equal access to the information. Email is not a valid method of filing regulatory documents with the NEB.

Further email correspondence on these matters will not be responded to.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Sheri Young', is written over a circular stamp. To the left of the signature is a small, stylized blue mark that looks like the letters 'for'.

Sheri Young
Secretary of the Board

155. **Attachment 73** On December 7th I created a website at <https://line9fiscalconcerns.wordpress.com/> to illustrate the news reports regarding Line 9 that I was seeing in the press. I was trying to understand more about the financing of the Line 9 project. On that website I wrote the following and I made sure to add a disclaimer because I could not verify that the articles or the external links were accurate. I still stand by my disclaimer for this next bit of information. I am not an economist but it is worth considering regardless. The duty is on Enbridge to prove or disprove, not people like me simply raising the concern. The website states the following.

LINE9FISCALCONCERNS

LINE 9 FISCAL CONCERNS

By Louise Lanteigne

KPMG and CPA were linked to the Harper Government during the scandal as noted in a CBC article titled [Harper Government partnered with industry groups battling CRA over KPMG case](#) published on Oct. 8, 2015

This is the story that got me wondering about the links of this firm to Enbridge.

As a delegate of both Line 9 hearings. I have been personally following media stories specific to Line 9 financing including economic reports and related articles and there may be links that connect the above concerns to Enbridge's activities with KPMG, CPA and the Harper Government. Here is what I observed by way of press releases.

The Duffy Diary shows odd communications took place between Harper Gov't and Enbridge and this was noted in an article by the National Observer titled [Redacted Diary reveals oil's hidden route to Harper](#) by Mychaylo Prystupa and Sandy Garossino published on April 22, 2015.

In that article this passage:

DUFFY DIARY: Feb.17, 2012 – “PM asks “Send me a note on Enbridge Line #9 problems”
In a Vancouver Observer article titled, [Harper Government officials, spies meet with energy industry in Ottawa](#), written by Matthew Miller on Nov .22 2012, it states that there was an event sponsored by Enbridge, Brookfield and Bruce Power where government officials, the

RCMP, CSIS along with oil and gas reps met up in secret meetings. The last day of the meetings took place on May 23rd 2012.

The next day on May 24, 2012 I attended the NEB Line 9 hearing as a delegate. That is when I witnessed the NEB officials sharing the same hotel suite with Enbridge staff during that process. They ate lunch together and other delegates were prohibited from communicating with them. They were heavily guarded by the RCMP and local police. There was clearly no reasonable attempt to display this as an objective quasi jurisdictional process.

As we waited for the NEB verdict of the first Line 9 hearing, there was a motion to allow Cabinet to override NEB rulings via the Omnibus Bill. This was published in an article in the Globe and Mail titled, *Riding Roughshod over the Diefs Legacy* by Barrie McKenna published on June 10, 2012.

June 12, 2012 was the passing of the Omnibus Bill as noted in the Globe and Mail in the article *The Tale of 2012's Omnibus Budget Bill* by Gloria Galloway and Daniel LeBlanc.

On July 27, 2012: [The NEB approved of Line 9 phase 1.](#)

KPMG worked with Enbridge on Offshore involvements to “contain expenses” This is noted in a KPMG power point titled *Session 7: Leverage Business Intelligence to Gain Insight* written by Ray Alwani, Manager – Financial Management, KPMG Harsh Vardhan, Manager – Strategy & Operations, KPMG Lise Kurucz, Finance Lead – FRP Analytics & Internal Reporting, Enbridge Inc.

Enbridge transferred ownership of Line 9 from Enbridge Pipeline Inc. to Enbridge Income Fund in the summer of 2015 as confirmed to me by a personal correspondence I had with Enbridge's Graham White.

The transfer of Line 9 from Enbridge Pipeline Inc to Enbridge Income Fund moved it from a Canadian Enbridge subsidiary to a US subsidiary as noted in this article by Financial Post titled, *Why Canadian pipeline companies are moving billions in assets to U.S. subsidiaries* as written by Geoffrey Morgan published on Oct. 2, 2015. The article states the following passage:

Rick Whitley, managing partner at accounting firm KPMG's Calgary office, said that an MLP is an U.S. corporate structure similar to the income trust model that was once prevalent in the

Canadian energy sector. A 2006 change in tax laws eliminated the ability of income trusts to pay pre-tax dividends to unit holders.

Common sense tells me that the practice was abolished in Canada for a good reason and I'm wondering if Line 9 poses a greater financial risk as a result of these changes? Why permission would not be required to move Line 9 from a Canadian company to an American branch is beyond me..

I wrote to the NEB to request the transfer of assets documents and NEB Chair Peter Watson wrote back to me and stated, "*The board has not taken the view that corporate name changes require applications under the NEB Act.*"

Under the old NEB law, transfer of assets may have violated section 51, 21 and 74 of the NEB Act. That law was fully in effect when I was a delegate at the first Line 9 hearings. The Omnibus bill altered the laws between the hearing and the decision of the Line 9A process so I am not sure if the lack of NEB consent is a violation of the rules or not.

[Economist Robyn Allen](#) observed a lack of transfer of assets with the Kinder Morgan pipeline issue as well and the concerns seem to mirror the characteristics of the issues I am observing with Line 9.

The [International Consortium of Investigative Journalists](#) has an offshore leak website. When I did a search for Enbridge Income Fund I found many offshore connections, particularly in Asia. I don't know the details of these connections or the legality of them but I did contact officials to review this information.

The NEB approved Line 9 in March 2014 but months later on October 27 the [NEB permitted the sale of a 533.4 metre section of Line 9b to Valero](#) while removing all NEB oversight as permitted by both the Privy Council and the Governor General of Canada. That NEB decision is Order [AO-001-OC-30](#).

CBC reports businesses in Pointe-aux-Trembles' industrial park are being told [not to renovate or build new property around the Suncor refinery](#) because of the potential risk of explosion. They state 610 metre radius around the refinery has a "High risk" of damage if an explosion occurs.

In my view to have such risks exemplifies how insufficient our current approval processes are.

This issue flags serious failures at many levels of governance.

At the NEB, I witnessed the presentation of the Goodman report as bonafide evidence. [There was only .5 to 1 billion in benefits to be made](#) from the line and that was at a time when oil was \$80 per barrel or higher and the dollar was strong.

CBC released a news story on November 18, 2015 titled [Oil below \\$40](#).

Goldman Sachs predicts prices will fall to [\\$20 per barrel and 15 years of low prices](#).

The initial cost of the Line 9 reversal was [\\$129 million back in 2013](#).

By July 2015 the cost of the Line 9 reversal reached [\\$800 million](#).

The third quarter of 2015 [Enbridge lost \\$609 million and they cut 5% of their staff](#).

I have blown the whistle about this project and the [flaws of the NEB](#) process.

I found documents that [integrity and engineering risks were not to be cross examined](#).

I found documents that the [NEB was monitoring delegates on social media](#) even though members of the Board are unauthorized to review this data. So who was using it?

I have shared these concerns with elected officials at the provincial and federal level as well as with the RCMP, the Police, CSIS, the Government, the NEB and news agencies. I also communicate with Enbridge directly to try and understand all this.

I encourage people to call or email your **MP and MPP and let tell them what you think about Line 9.**

I assume no liability for this website or statements made or the hyperlinks provided but I do encourage people to learn what you can, spread the word and have your say!

156. Attachment 74 I created a website to show articles regarding the two terminals where Line 9 oil is brought after it leaves the pipe. It goes to the Valero Terminal than is brought by tanker to Levis at the Jean-Gaulin refinery. Here is the webpage I wrote about those concerns here with disclaimer again.

LINE9CONCERNSWITHVALERO

LINE 9 CONCERNS WITH VALERO

My name is Louise Lanteigne and I am a delegate who participated with the Line 9 reversal hearings with the National Energy Board (NEB) I chronicle how unreasonable that hearing process was at this [website](#).

I provide this updated information for your reference because this in my view is an issue that poses a significant national security threat not only for communities along Line 9 but for the St Lawrence River and international waters shared by both Canadian and US interests. I provided this information to elected officials, media, the RCMP and environmental agencies by personal correspondence on December 5th 2015.

First off I will confirm the fact that “processed crude oil” is flowing through Line 9b as confirmed to me by personal correspondence with Mr. Graham White of Enbridge. (NOTE: this was prior to the Line 9 blockade that took place on December 7th 2015. Here is the [Media Release](#) regarding that.)

Enbridge Line 9b was approved for use by the NEB through NEB Ruling [OH-002-2013](#) issued on March 6, 2014.

The NEB approved of Line 9B even though the pipe on the Valero property at their Montreal Terminal was NOT UP TO CODE. The evidence of this can be viewed in the Ruling of [MO-008-2014](#) dated **March 17, 2014** which confirms that the outer layer of the Line 9 pipe on the Valero property had an external cover of Epoxy paint, not PE tape.

It is reasonable to state that prior knowledge of the epoxy issue was known at the NEB before the approval of Line 9b. However the NEB chose to not to exempt this portion when they gave approval.

In another ruling, just months after Line 9B was approved, the NEB confirms the sale of the 533.4 metre section of Line 9b pipeline from Enbridge to Valero. That decision is Order [AO-001-OC-30](#) and is dated October 27, 2014.

On the [Privy Council website](#) it confirms the fact the NEB knew Enbridge intended to sell a portion of the Line 9b to Valero as early as February 18 2014, well before the Line 9b decision. The Privy council allowed this sale. This decision was also approved by

the Governor General of Canada.

When one views the wording of the NEB ruling for [AO-001-OC-30](#) you will read the following:

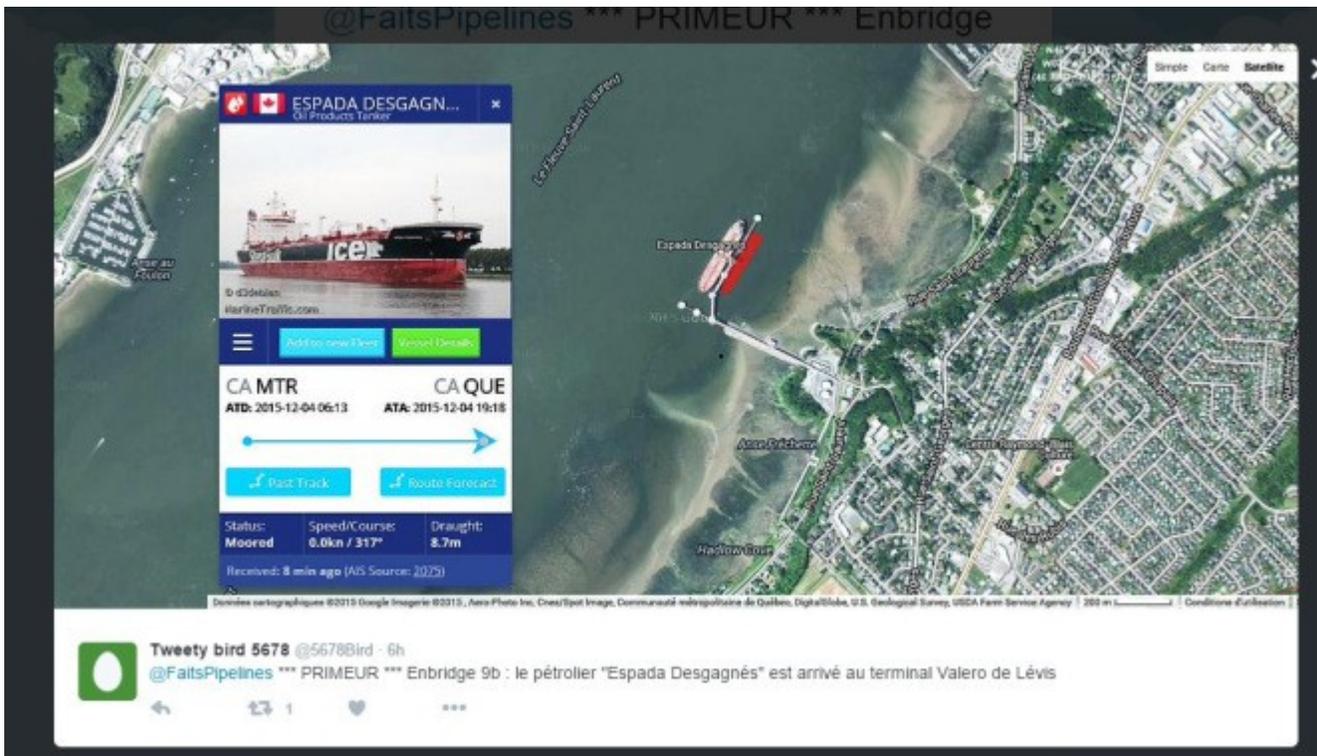
The Pipeline Section will be owned by Valero and no longer part of a federal work or undertaking. As such, these facilities are no longer regulated by the Board under the NEB Act. AND WHEREAS the Board has determined, pursuant to section 20 of the Act, that it is just and proper to grant Enbridge further relief, in addition to the relief applied for, to reflect the removal of the Pipeline Section from the Enbridge System; AND WHEREAS the Board has decided it is in the public interest to issue this Amending Order to effect the variance;

In light of these concerns, I believe Canadians deserve answers:

- 1. Why did the NEB approve of the Valero section of Line 9b on March 6, 2014 even though they were clearly informed it that Enbridge was to sell it to Valero as far back as February 18, 2014?*
- 2. Why did the NEB approve this section of pipe that was no longer up to code?*
- 3. Why did the NEB forfeit it's ability to monitor the remaining portion of Line 9 with the sale to Valerio?*
4. Where is Valero's current permit to use this pipe? Do they even need one now?
5. Is it reasonable to give the NEB discretionary power to simply forfeit their own ability to monitor "a select area" of an existing pipeline?
6. The Valero terminal sits at the St. Lawrence River. What attempt was made to engage either First Nations or US officials in regards to these decisions that directly impact their water supplies?

In my view, it goes beyond common sense to simply allow the end portion of Line 9 to be sold off to Valero and excluded from all NEB regulatory oversight.

Here is a photo of the first oil carrying vessel to arrive to the Valero terminal after the opening of Line 9b. This took place on December 5th 2015. How did the oil move between the Espada Desgagnes and the Valero terminal? Does that pipeline system have a valid CPCN permit or not?



I encourage readers to please contact their Municipal, Provincial and Federal Ministers to ask them why the end of Line 9 was allowed to be sold and removed from the jurisdiction of the NEB.

Currently Chippewas of the Thames First Nations are preparing for a Supreme Court Challenge due to lack of proper consultation regarding the Line 9 hearings.

To support their efforts, please donate to their fundraising campaign at <https://www.gofundme.com/chippewas>

I assume no liability for this website or statements made or the hyperlinks provided but I do encourage people to learn what you can, spread the word and have your say!

157. Attachment 75 I sent the following email to MNR Minister Carr, Minister Dion and Minister Morneau regarding Line 9. It states:

----- Forwarded Message -----

From: Louise Lanteigne <butterflybluelu@rogers.com>

To: "nrcan.minister-ministre.nrcan@canada.ca" <nrcan.minister-ministre.nrcan@canada.ca>;

"bill.morneau@canada.ca" <bill.morneau@canada.ca>

Sent: Monday, January 4, 2016 12:54 PM

Subject: Fiscal and Permit concerns regarding Enbridge Line 9

Hello Hon. Minister Carr and Minister Dion

My name is Louise Lanteigne from Waterloo Ontario.

I was a delegate at both NEB processes regarding the reversal of Enbridge Line 9 pipeline and I have been chronicling odd fiscal happenings with the company that in my view, may violate the NEB Act section 74, 21 and 51.

Now last year's 4th quarter report published around Feb. 2015 hit oil sectors hard because there was a dramatic drop of oil prices that seemed to hit system wide with many companies declaring losses however Enbridge Pipeline Inc., who owned Line 9 oil pipeline at the time, made a profit and it baffled me because Enbridge experienced unscheduled delays for the opening of the pipeline because the NEB imposed new criteria for them to meet before the pipe could be open. The situation with it's unpredictable nature should have resulted in an economic loss but it didn't, so I went to the Sedar website and started looking at the numbers.

Large transfers of funds of over a billion dollars, were being made from Enbridge Income Fund to Enbridge Pipeline Inc. in early fall. At the time, Enbridge Pipeline Inc. was a Canadian based firm. Enbridge Income Funds Holdings though, was rooted in offshore money mainly from Asia. I found this out by visiting the website of the International Consortium of Investigative Journalism and doing a basic name search.

I emailed the federal government and the National Energy Board about my concerns but nothing came of it.

Later on Enbridge Pipeline Inc. actually sold Line 9 to Enbridge Income Fund and again there was no National Energy Board permission granted. In fact the timing of the sale took place at the same time the hydrostatic testing on the pipeline was taking place in Ontario. This question of ownership raised the concern of the CPCN certificate. The certificate for public need and necessity can only be issued by the National Energy Board and it is needed for anyone to do work on the physical pipe. I wanted to check if they even had a valid certificate to be doing the work they were doing in Ontario so I called the OPP.

I contacted the OPP, and found a terrific officer by the name of Anthony Daniel from the Fraud unit who in turn advised me to contact the College of Skills and Trade as well as the Ministers of Labour at both the Provincial and Federal Level. Each department listened to my call however they all stated they had no jurisdictional powers at all to do anything. I told them, is it reasonable for anyone to allow an agency to work on a federal oil pipeline if there is no documentation to support proper authorization to do the job. They didn't deny the concern. They simply said they could not do anything about it. Even the RCMP officers I spoke with felt helpless. Nothing could be done and I don't blame the cops because the orders for all this stemmed directly from the orders of the PMO. All agencies I spoke with by phone

did not negate the concern. They simply said there was nothing they could do at their end to stop it. Many of them verbally agreed it was a concern, particularly the College of Skills and Trade lady I spoke with.

So I reached out to Economist Robyn Allen in BC. She flagged the same concerns happening with the Kinder Morgan pipeline in BC when they switched ownership of that pipe to a US firm. I spoke with her by phone and she told me to contact the Board Chair of the NEB to secure the transfer of assets. I called the NEB to secure the Chair's email so I could write to him and the staff refused to disclose it. Then I threatened to notify the police because they are obstructing my access to the chair and then they kindly provided it to me.

I contact the NEB chair directly by email and CC'd the OPP police to make sure I had credible witnesses to the written communications.

The NEB chair answered my email and he provided the only CPCN certificate and it was made out to a company that no longer exists. The initial permit of Line 9 was with a firm called Interprovincial Pipeline Limited. Enbridge acquired it years ago and it changed ownership names several times. There is no documents to suggest any NEB formalized transfers of assets regarding Line 9 other than this document and a sale of the end portion of Line 9 to Valero.

After I got the response from the NEB chair, the OPP officer who I spoke with initially, Anthony Daniel who works with the Provincial Anti-Fraud Unit, was removed from the case after that which upset me because he was a good man who did his best to help. It was the Harper government that was being unreasonable.

In the attachments are some of the key documents for your reference.

First is confirmation on the sale of Line 9 by Enbridge representative Graham White with his 2 supporting attachments. Second is Economist Robyn Allen's concerns of Kinder Morgan.(Same kind of issues.) Third is the National Energy Board Chairman's response and 2 attachments featuring the only CPCN permit that currently applies to the pipe and it references the sale of the end portion of Line 9 to Valero.

Valero no longer has NEB oversight. The Privy Council and Governor General approved of this removal. I created a webpage on that issue here which I sent previously but I fear that link I sent may not have worked so here it is again for your reference: <https://line9concernswithvalero.wordpress.com/>

By the way, Valero ships oil from the end of Line 9 to the Jean Gaulin Refinery. 165, chemin des Îles Lévis. On December 30th 2015 they had a spill of 7 cubic meters of crude. That roughly equals 44 barrels of oil. It was the second spill at this terminal since August 2015. Here is the news coverage here:

<http://www.cbc.ca/news/canada/montreal/jean-gaulin-refinery-oil-leak-valero-energy-1.3385185>

Generally speaking English news is heavily censored when it comes to anything to do with oil or Line 9 stories.. The French news is more balanced. It gave more details. (We really need Canadian English media to stop censoring the news.)

<http://ici.radio-canada.ca/regions/quebec/2015/12/31/003-7000-litres-petrole-brut-deversement-raffinerie-levis.shtml>

The Jean Gaulin Refinery has a long history of bad spills. A list of them from 2012 to 2014 can be seen here:

<https://www.ecologyaction.ca/files/images-documents/EnvironmentalThreatEasternRefineries.pdf>

You can add to that a leaky oil tank with unknown losses of oil discovered in August 2015.

<http://www.newswire.ca/news-releases/oil-leak-detected-at-jean-gaulin-refinery-522339341.html>

I've built a website that contains info on some of Enbridge's financial activities regarding Line 9 using published media reports to protect myself from liability associated with this. I found out they worked with KPMG on offshore financing schemes and they moved the ownership of the Line 9 oil pipeline to a US firm likely to exploit the weaker banking laws that allows them to borrow more money using systems that are strictly prohibited in Canada. Here is my website regarding this.

<https://line9fiscalconcerns.wordpress.com/>

If a spill happens, does this new firm have the funds to coverage for a major spill? The parent company does but does this branch of it? What if we need to prosecute them to secure funds for a clean up. Being US based that raises the costs. Does this mean they can now use NAFTA against us if we wish to close the line? That situation didn't exist when Enbridge Pipeline Inc applied at the NEB because they were a Canadian based company. Did the NEB even consider that scenerio?

It is upsetting to me that a fiscal plan used to seek approval at the National Energy Board can simply be switched around by the company afterwards with funding models that don't even comply with Canadian banking practices all without NEB consent. It makes no sense at all for our long term fiscal planning to allow for this sort of conduct. Major fiscal loop holes here need to be closed.

If a spill happens, can Enbridge claim clean up expenses from Canadian Tax agencies and US tax agencies and make a claim to insurance firms on the same spill? If so spills might actually make a profit for these people. My head hurts thinking of such scary scenarios especially with a pipe who experts believe has an over 90% chance of leak.

I spoke with the Alberta Securities exchange's solicitor and confirmed Enbridge Pipeline Inc. and Enbridge Income Fund are by law. They are two separate companies with separate boards etc. If this is true, NEB permission should have been granted before the transfers of assets took place but the NEB confirmed to me this did not happen.

Graham White of Enbridge states NEB permission was not needed for transfer of assets because they are all part of Enbridge Inc. As a delegate of the Line 9 hearing I know for a fact that the hearing application was submitted by Enbridge Pipeline Inc. and not Enbridge Inc. If the hearing was not with

the bona fide parent company of actual ownership than in my view the entire NEB hearing and it's rulings should be deemed null and void.

Either scenario, flags a major problem with the entire Line 9 issue.

I would like help with this issue. I am not a financial expert. I am a worried housewife but I'm finding all this stuff and I honestly need answers here. Please respond in writing to me regarding the following questions.

Who is the owner of the Line 9 pipeline right now. Is it Enbridge Income Fund or Enbridge Inc?

Does the current owner have a valid CPCN permit?

Without regard for this particular case, does transfer of assets, including the transfer of an oil pipeline, generally require NEB permission?

Who determines when a transfer of assets does or does not require NEB permission? Is there a criteria for that?

What systems exist to update the NEB on corporate restructuring and was that done in regards to Line 9?

If there are legal concerns that exist with the lack of NEB permission in regards to the lack of consent for transfer of assets, is there a review agency I can turn to for help in order to have this issue examined ie: commissioner of finances, CRA or some kind of internal government auditing agency?

I have no funding or personal desire to sue anyone but I am scared of oil spills and I am concerned about the fiscal risks this situation creates for our nation and investors. This isn't reasonable planning at all and I'm trying to find help to protect the public.

Thank you kindly for your time.

Yours in good faith,

Louissette Lanteigne
700 Star Flower Ave.
Waterloo Ont.
N2V 2L2

158. **Attachment 76** On January 21, 2016 I got an email from Heather Joyce of the RCMP who stated the following

Ms. Lanteigne,

A response was sent to your attention on August 12, 2014 in which we indicated that we were unable to locate any records responsive to your request.

Thank you,

Heather Joyce
Team Leader
Access to Information and Privacy Branch
Royal Canadian Mounted Police
RCMP Mail Stop #61
73 Leikin Drive
Room: M3 202
Ottawa ON K1A 0R2
Phone: 613-843-3353
Toll-Free: 1-855-629-5877
Fax: 613-825-8221
E-mail/Courriel: heather.joyce@rcmp-grc.gc.ca

This concludes the data I have to submit.

Louisette Lanteigne
700 Star Flower Ave.
Waterloo Ont.
N2V 2L2