

From: Pamela Billey <pbilley@metis.org>

Sent: November 28, 2018 17:21

To: NEB Modernization / Modernisation de l'ONE (NRCAN/RNCAN) <NRCan.NEBModernization-ModernisationONE.RNCan@Canada.ca>

Subject: Feedback on Designated Officer Regulations and the Damage Prevention Framework for Federally Regulated Powerlines

Greetings,

Natural Resources Canada and the National Energy Board recently released discussion papers seeking public feedback surrounding the *Designated Officer Regulations* and the *Damage Prevention Framework for Federally Regulated Powerlines* to help inform the approach to developing and updating the regulations and to support the Government's proposed Canadian Energy Regulator Act (CER Act), creating the Canadian Energy Regulator.

In response, the Métis Nation of Alberta has submitted feedback to assist with the development of the regulations in question in the supporting attachment.

We look forward to further opportunities and engagements in the coming future.

Regards,



Pam Billey BA Environmental Management/Ecology, Land Analyst Certification
Environmental Analyst

780-455-2200 Ext. 235 | pbilley@metis.org

The Métis Nation of Alberta

11738 Kingsway NW
100 Delia Gray Building
Edmonton, AB
T5G 0X5
www.albertametis.com

RESPONSES TO DISCUSSION PAPER: DAMAGE PREVENTION FRAMEWORK FOR FEDERALLY
REGULATED POWER LINES

Question 1: Is a prescribed area of 30 metres on either side of the federally regulated powerline adequate to maintain safety and prevent damage to the power line?

30 metres on either side of a federally regulated powerline is adequate in maintaining safety and in preventing damages to the powerline itself, and more importantly limiting the footprint of the project on the land.

Question 2: Are the proposed safety measures adequate to maintain safety and prevent damage to the power line?

The proposed safety measures seem adequate in maintaining safety and preventing damages incurred to the powerline.

Question 3: What other considerations, if any, need to be considered when a holder responds to a request for authorization?

Indigenous consultation needs to be considered; if the project is on traditional territory, before the request of authorization is submitted, approval via Indigenous governments with respects to the priority of the project needs to be considered.

Otherwise, the two procedures in place seem adequate:

The first procedure being that of the holder responding to the person's direct request for an authorization to conduct an activity near a power line, wherein the holder informs the person making the request whether the project has been granted or refused and if refused, why.

The second procedure is regarding an authorization that has not been granted but the project must still go forth, the person requesting the authorization may file an application to be sent directly to the Commission to request review for authorization and with the application would also need to provide a copy of the application to the holder as well.

Question 4: What other considerations, if any, need to be considered when making a locate request prior to conducting work near a federally regulated power line?

The proposed process of a locate request seems adequate in maintaining safety and conducting work near a powerline.

Question 5: Do you have any comments on the proposed requirement for a holder to be a member of a One-Call Centre?

No comments regarding the proposed requirements for a holder to be a member of a One-Call Centre. From a pragmatic standpoint, it would be preferred that a holder be a member of a one-call centre.

Question 6: Do you have any other comments on the requirements for construction of federally regulated power lines near facilities?

The regulations pertaining to construction are clearly defined that construction is authorized by written consent, holding a valid certificate and an order granted for construction for both approval and leave alongside the CSA safety standards, permission from the landowner and written schedule for the work order.

Question 7: What other considerations, if any, need to be considered for a holder to have a damage prevention program for power lines?

No other considerations need to be addressed in the damage prevention program as all federally regulated powerlines have consistent regulations in maintaining damages and informing public.

Question 8: Is a period of three months from the coming into force of the proposed regulations to develop and implement a damage prevention program sufficient?

A three (3) month period to develop and implement a damage prevention program seems sufficient as the program requires an update of procedures and contacts

Question 9: Are there any other comments related to the proposed regulations that you would like to provide?

Only comment is to have a consistent response time to locate requests, and for public hearings on construction that may affect communities.