

CHAPTER 1 – THE ANNUAL PLAN PROCESS

1.1 Introduction

This chapter provides background information to the Annual Plan and gives an overview of how industry participates with NOVA Gas Transmission Ltd. (“NGTL”) to understand and influence the development of the Alberta System.

In early December 2007, the Alberta Legislative Assembly passed Bill 46, the *Alberta Utilities Commission Act* (“AUC Act”). NGTL understands the purpose of the AUC Act is to separate the Alberta Energy and Utilities Board into two regulatory bodies, the Alberta Utilities Commission (“AUC”) and the Energy Resources Conservation Board, effective January 1, 2008. NGTL also understands the AUC will be responsible for the approval and ongoing supervision of gas utility pipelines, as well as the economic regulation of gas utilities. However, since this Annual Plan is being filed prior to the establishment of the AUC, NGTL has continued to refer to the regulator as the Alberta Energy and Utilities Board (“Board”) to avoid any potential confusion and for continuity with past Annual Plans.

1.2 Background to Annual Plan

NGTL presently seeks and receives authorization for construction and operation of pipeline and related facilities from the Board pursuant to the provisions of the *Pipeline Act*.

The Board has met periodically with NGTL and industry participants to review and revise the procedures and criteria used in assessing NGTL’s facility applications. The Board’s conclusions following such reviews have been set forth in Informational Letters. These letters function as directives respecting information that must be

included in facility applications and as guidelines for NGTL, Customers, the Board, and other interested parties in the review and assessment of NGTL's facility applications.

NGTL follows Board Informational Letter IL 90-8, a copy of which is provided in Appendix 2, in seeking authorization from the Board to construct and operate pipeline and related facilities. Section C of IL 90-8 requires that NGTL follow a two-stage application process:

The first stage is the filing with the Board of an annual preliminary overall system plan ("Annual Plan") containing all planned facility additions and major modifications. The second stage is the filing of the final technical, cost, routing/siting, land, environmental and other information required to complete the application for each facility contained in the Annual Plan.

Section E of IL 90-8 requires that the Annual Plan contain information on the need, rationale, and justification for the proposed facility additions. The information must include, but is not limited to:

- (a) system demand outlook;
- (b) system reserves and deliverability on an area basis;
- (c) assumptions, design criteria, and methodology;
- (d) economic criteria;
- (e) preliminary sizing of each facility;
- (f) preliminary route/site for each facility;
- (g) preliminary cost estimate and construction schedule for each facility;
- (h) impact on NOVA's cost of service due to the implementation of the Annual Plan; and

- (i) long-term plan and the impact resulting from the implementation of the Annual Plan on the long-term plan.

The Annual Plan provides the Board and industry participants with an understanding of how specific facility applications fit into the overall long term development of the Alberta System.

NGTL and those affected by the facility applications work together early in the planning process to exchange information and provide appropriate opportunity for input and comment. The Board ensures NGTL's applications meet the technical, environmental, economic, and safety criteria set out in the *Pipeline Act* and associated regulations. The Board also acts as a catalyst to ensure there is appropriate dialogue between NGTL and those interested in and affected by NGTL's facility applications. A major benefit of this dialogue has been the small number of facility hearings in recent years. In the event of a facility hearing, the Board makes a determination, based on the evidence presented to it, as to whether or not a permit for the facility will be granted.

1.3 Annual Plan Scope

The December 2007 Annual Plan contains facilities requirements for the 2008/09 Gas Year commencing on November 1, 2008 and ending on October 31, 2009.

1.4 June 2007 Design Forecast

NGTL's June 2007 design forecast of gas delivery, FS productive capability, average receipts and field deliverability was used in the preparation of NGTL's December 2007 Annual Plan.

1.5 Industry Participation

It is clear from Board Informational Letter IL 90-8 that the Board intends that the concerns of interested parties related to NGTL facilities be addressed directly with NGTL or through the various industry committees and subcommittees that have been established for that purpose (IL 90-8, Paragraph H). The Board's objectives are to ensure an appropriate forum exists for input and comment prior to the finalization of specific facility applications and to ensure NGTL's facility applications are assessed in an informed, timely and cost effective manner.

To facilitate a more participative and consultative role for industry participants in policy formation and system design, NGTL uses:

- committees;
- discussion papers or proposals which target specific issues;
- information circulars;
- industry presentations; and
- the internet, including Customer Express and NrG Highway.

The Facilities Liaison Committee ("FLC") was formally established in May 1990 and has been an important forum for reviewing NGTL's plans with industry. In 2004, the FLC became a standing task force, the Facilities Task Force ("FTF"), of a broader industry committee, the Tolls, Tariff, Facilities and Procedures Committee ("TTFP"). Participation on the TTFP is open to any affected party that would directly experience implications of importance due to outcomes achieved by this committee, including facility related decisions of NGTL. The TTFP provides for the timely exchange of information among interested parties and provides a significant opportunity for parties to influence NGTL's facility proposals and long-term planning. Since the filing of the December 2006 Annual Plan, NGTL has made presentations to the TTFP

on a number of topics regarding design and forecast. The design forecast, design flows and facility requirements were presented to the TTFP on November 20, 2007, prior to the finalization of this Annual Plan.

Periodic updates on the Alberta System expansion plans and capital program, and the impact of the plans and program on the cost of transportation are provided to all Customers. These updates provide opportunity for Customer input. NGTL also makes presentations to other industry committees and government agencies, and offers to meet with any association or Customer on system design inquiries or any other issue. Over the last year NGTL has participated in meetings with various Customers and a broad range of consumers, marketers, and distributors in which the pipeline system facilities requirements and capital programs have been discussed.

The TTFP will be advised if additional facilities are identified to be placed in-service for the 2008/09 Gas Year after the filing of this Annual Plan and prior to the issuance of the next Annual Plan.

A copy of the December 2007 Annual Plan can also be accessed on TransCanada's Web site located at:

http://www.transcanada.com/Alberta/regulatory_info/facilities/index.html