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Regulator

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File 6863507  
14 May 2026

Kenneth Pountney  
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Dear Kenneth Pountney:

**NGTL GP Ltd., as general partner on behalf of NGTL Limited Partnership  
Application for the Kainai Interconnect Project under section 214 of the  
Canadian Energy Regulator Act**

NGTL GP Ltd. (**NGTL GP**), as general partner on behalf of NGTL Limited Partnership filed an application in relation to the Kainai Interconnect Project (**Project**) with the Canada Energy Regulator (**CER**) on 27 January 2026, ([C38024](#), **Application**), pursuant to section 214 of the *Canadian Energy Regulator Act* (**CER Act**). The Project will consist of the installation of a new nominal pipe size (**NPS**) 1.5-inch hot tap to the existing NGTL GP NPS 6 Bailey's Bottom Lateral and approximately 10.5 metres (**m**) of NPS 1.5-inch pipe to supply gas to a customer. NGTL GP filed subsequent submissions on 28 January 2026 ([C38034](#)) and 13 April 2026 ([C38873](#)). NGTL GP requested, pursuant to section 214 of the CER Act, an exemption from the provisions of paragraph 180(1)(a) and section 198 of the CER Act for the Project, as well as exemption from the requirements of paragraph 180(1)(b) and subsection 213(1) of the CER Act for the Project.

The Commission of the CER finds that it is in the public interest to grant the requested relief having considered the information on the record that appears to be relevant and directly related to the Project, including matters relevant to section 56 of the CER Act, as explained below. Overall, the Commission is satisfied with the design and implementation of NGTL GP's engagement activities, and the Commission finds that the protection of the environment and public safety have been appropriately addressed by NGTL GP in the Application and subsequent submissions. The Commission's evaluation included the financial viability, economic justification, and proposed design and operation of the Project.

Accordingly, the Commission issues Order XG-004-2026 (**Order**) pursuant to section 214 of the CER Act, the effect of which is to approve the Project. A copy of the Order and its Schedule A, which together outline the specifics of the Project as approved, is attached. As indicated in the Order, the Commission grants NGTL GP an exemption from the provisions of paragraph 180(1)(a) and section 198 of the CER Act for the Project.

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Additionally, the Commission grants NGTL GP's request for an exemption from paragraph 180(1)(b) of the CER Act, which prohibits a company from operating a pipeline unless it has been granted leave to open the pipeline, and for an exemption from subsection 213(1) of the CER Act, which prohibits a company from opening a pipeline or a section of a pipeline for transmission without the Commission's leave. In these circumstances, the Commission finds that it has sufficient information to determine that the Project once constructed as approved will be safe to open, and therefore a leave to open application will not be necessary. Accordingly, NGTL GP is not required to obtain the Commission's leave to open the pipeline and may operate the pipeline without obtaining such leave. Although NGTL GP is not required, as a result of these exemptions, to file any documentation summarizing the successful completion of required activities (e.g., those listed in Guide T of the Filing Manual) before it puts the facility into service, NGTL GP is still required to complete those activities and to oversee their quality control.

### **Commission analysis and findings**

#### *Impacts of the Project on the rights of Indigenous<sup>1</sup> Peoples*

The Commission finds that the Project has no or negligible effects on the rights of Indigenous Peoples given that:

- the Project is small in both scope and scale;
- the Project is located entirely on cultivated and previously disturbed Blood Tribe (Kainai Nation) Reserve lands within an existing NGTL GP pipeline right-of-way;
- there is no potential for traditional land and resource use activities to be affected by the Project; and
- NGTL GP will implement mitigation measures through its Environmental Protection Plan.

#### *Consultation with Indigenous Peoples*

The Commission is satisfied that the Crown's obligations in relation to the duty to consult and accommodate, if any, have been met for the purposes of this Project. The Commission notes that the CER undertook early engagement with the Blood Tribe (Kainai Nation), during which the Blood Tribe raised issues related to project mapping, the process for obtaining consent under subsection 317(1) of the CER Act, the potential presence of unexploded ordnance associated with historical military activity, the potential exposure of cultural remains due to erosion, emergency response coordination, invasive species management, construction monitoring, wildlife considerations, and consultation capacity.

The Commission further notes that NGTL GP provided information and clarification in response to these issues through its response to Information Request No. 1, including updated project mapping, clarification of its approach to obtaining subsection 317(1) consent, and confirmation of mitigation measures and procedures related to cultural resource discovery, safety, and environmental protection.

Following review of NGTL GP's response to Information Request No. 1 and subsequent engagement between NGTL GP and the Blood Tribe (Kainai Nation) Consultation Department, the Blood Tribe advised that it had no questions or concerns regarding NGTL

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<sup>1</sup> The use of the term "Indigenous" has the meaning assigned by the definition of "aboriginal peoples of Canada" in subsection 35(2) of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11 which states:

In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit, and Métis peoples of Canada.

GP's responses and confirmed that a site visit was not required due to the agricultural and previously disturbed nature of the Project footprint.

#### *Cultural and Heritage Resources*

The Commission finds that any potential effects on cultural and heritage resources are appropriately addressed through NGTL GP's Cultural Resource Discovery Contingency Plan and commitments applicable to construction on reserve lands, including procedures to be followed in the event that previously unidentified heritage resources are encountered during Project activities. The Commission notes that NGTL GP provided additional information to the Blood Tribe regarding cultural resource discovery procedures in its response to Information Request No. 1. No known heritage resources were identified within the Project footprint, and construction activities are limited in scope, duration, and spatial extent.

#### *Environmental and Socio-economic Impacts*

The Commission finds that, with the implementation of NGTL GP's environmental protection procedures, mitigation measures, and the conditions imposed by the Commission, any potential environmental and socio-economic effects of the Project, taking cumulative effects into account, would be of low significance. The Commission is satisfied that NGTL GP's commitments and planned mitigation measures are sufficient.

Given the environmental setting, small scope and scale of the Project, and with the implementation of NGTL GP's standard mitigation measures, the Commission finds, taking cumulative effects into account, that the Project will have no or negligible socio-economic effects and that any potential environmental effects would be of low significance. The Project will be constructed entirely within cultivated and previously disturbed reserve land and an existing NGTL GP pipeline right-of-way. The Project is adjacent to existing pipeline infrastructure and does not result in new access, long-term land use change, or ongoing operational disturbances.

The Project will involve a short duration of construction and a small on-site workforce, and no permanent workforce or operational staffing increases are required. The Project area does not contain waterbodies, wetlands, wildlife habitat, or areas suitable for traditional land and resource use.

#### *Federal Lands*

Since the Project is located on Blood Tribe (Kainai Nation) reserve lands, the Commission must, under section 82 of the *Impact Assessment Act (IA Act)*, determine whether the carrying out of the Project is likely to cause significant adverse environmental effects before exercising any power or performing any duty or function under the CER Act that could permit the Project to be carried out on federal lands. Subsection 84(1) of the IA Act requires the Commission, in making a determination under section 82, to consider the following factors:

- (a) any adverse impact that the Project may have on the rights of Indigenous Peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*;
- (b) Indigenous knowledge provided with respect to the Project;
- (c) community knowledge provided with respect to the Project;
- (d) comments received from the public under subsection 86(1) of the IA Act; and

- (e) the mitigation measures that are technically and economically feasible and that the Commission is satisfied will be implemented.

On 26 February 2026, the CER published a notice of the Project on the Canadian Impact Assessment Registry pursuant to subsection 86(1) of the IA Act and received no comments from Indigenous Peoples or the public.

Based on the factors listed in subsection 84(1) of the IA Act, the Commission finds that the carrying out of the Project is not likely to cause significant adverse environmental effects on federal lands under section 82. The Commission further finds that any potential adverse effects can be adequately addressed through NGTL GP's proposed mitigation measures and commitments, including those set out in the Environmental Protection Plan.

#### *Land Matters*

The Commission finds that NGTL GP's requirements for land rights, and its process for acquiring those rights, are acceptable and meet the applicable requirements of the CER Act. The Project does not require the acquisition of new permanent land rights and will require only a limited amount of temporary workspace on cultivated reserve land, a portion of which is located within an existing NGTL GP pipeline right-of-way. The Commission notes that NGTL GP is engaging with Blood Tribe and Indian Oil and Gas Canada to obtain the required Band Council Resolution and land use authorization. Consent under subsection 317(1) of the CER Act is a requirement that must be satisfied by NGTL GP prior to occupying reserve lands and operates independently of the Commission's approval of the Project. NGTL GP clarified its approach to obtaining consent under subsection 317(1) of the CER Act, including confirmation that permanent Project facilities are located within an existing, council-approved pipeline right-of-way and that Project-specific Band Council Resolutions are being pursued for temporary workspace and access outside the right-of-way.

Pursuant to **Condition 5** of the Order, NGTL GP must file any technical specification updates for the Project listed in the Application 10 days prior to placing the facilities in service. Technical specification updates are limited to differences in pipe length, diameter, wall thickness, grade, or material that do not impact any other information provided in the Application. Any other changes will require advanced approval from the Commission. Once NGTL GP files this information, the Commission will review all final technical specification updates and may issue an amending order, if appropriate.

The Commission directs NGTL GP to serve a copy of this letter and the attached Order on all interested parties.

Yours sincerely,

*Signed by*

Ramona Sladic  
Secretary of the Commission

Attachment



## ORDER XG-004-2026

**IN THE MATTER OF** the *Canadian Energy Regulator Act* (**CER Act**) and the regulations made thereunder; and

**IN THE MATTER OF** an application made by NGTL GP Ltd. (**NGTL GP**), as general partner on behalf of NGTL Limited Partnership, pursuant to section 214 of the CER Act, dated 27 January 2026, filed with the Canada Energy Regulator (**CER**) under File 6863507 (**Application**).

**BEFORE** the Commission of the CER on 13 May 2026.

**WHEREAS** NGTL GP filed an Application pursuant to section 214 of the CER Act on 27 January 2026 requesting exemptions from the provisions of paragraph 180(1)(a) and section 198 of the CER Act, as well as exemption from the requirements of paragraph 180(1)(b) and subsection 213(1) of the CER Act, related to the Kainai Interconnect Project (**Project**);

**AND WHEREAS** the information about the Project is set out in Schedule A, attached to and forming part of this Order;

**AND WHEREAS** NGTL GP filed subsequent submissions dated 28 January 2026 and 13 April 2026;

**AND WHEREAS** the Project will occur on federal lands and section 82 of the *Impact Assessment Act* (**IA Act**) requires that a project must not be carried out on federal lands, unless it is determined that the carrying out of the project is not likely to cause significant adverse environmental effects;

**AND WHEREAS** the CER published a notice on the Canadian Impact Assessment Registry on 26 February 2026 pursuant to subsection 86(1) of the IA Act;

**AND WHEREAS** the CER received no comments from interested persons;

**AND WHEREAS** the Commission determined that the Project is not likely to cause significant adverse environmental effects on the federal lands – Blood Tribe (Kainai Nation), Reserve (Blood 148) lands – upon which the Project will be carried out;

**AND WHEREAS** the Commission has had regard to all considerations that are relevant and directly related to the Project, including matters under section 56 of the CER Act and environmental matters pursuant to Part 3 of the CER Act;

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**AND WHEREAS** the Commission finds that the Project, once constructed as approved, will be safe to open, and therefore a leave to open application will not be necessary;

**AND WHEREAS** the Commission considers it to be in the public interest to grant the following relief;

**IT IS ORDERED** that,

- Pursuant to section 214 of the CER Act,
  - the Project, as specified in Schedule A, is exempt from the application of paragraph 180(1)(a) and section 198 of the *CER Act*; and
  - the Project is exempt from the application of paragraph 180(1)(b) and subsection 213(1) of the CER Act;

the effect of which is to approve the Project subject to the following conditions:

1. NGTL GP must comply with all of the conditions contained in this Order, unless the Commission otherwise directs.
2. NGTL GP must cause the approved Project to be designed, located, constructed, installed, and operated in accordance with the specifications, standards, commitments, and other information referred to in its Application.
3. NGTL GP must implement or cause to be implemented all of the policies, practices, programs, mitigation measures, recommendations, procedures, and its commitments for the protection of the environment included in or referred to in its Application.
4. NGTL GP must, at least 14 days prior to commencing construction of the approved facilities, file with the CER a detailed construction schedule or schedules identifying major construction activities and must notify the CER of any modifications to the schedule or schedules as they occur.
5. NGTL GP must, at least 10 days prior to placing the facilities in service, file with the CER any technical specification updates for the Project components listed in the Application. Technical specification updates are limited to differences in pipe length, diameter, wall thickness, grade, or material that do not impact any other aspect of the Project as approved.
6. Within 30 days of the date that the approved Project is placed in service, NGTL GP must file with the CER a confirmation that the approved Project was completed and constructed in compliance with all applicable conditions in this Order. If NGTL GP cannot confirm compliance with any of these conditions, NGTL GP must file an explanation with the CER. The filing required by this condition must include a statement confirming that the signatory to the filing is the accountable officer of NGTL GP, appointed as Accountable Officer pursuant to section 6.2 of the *Canadian Energy Regulator Onshore Pipeline Regulations*.

7. This Order will expire on 31 May 2029 unless construction of the Project has commenced by that date.

THE COMMISSION OF THE CANADA ENERGY REGULATOR

*Signed by*

Ramona Sladic  
Secretary of the Commission

**SCHEDULE A**  
**Order XG-004-2026**

**NGTL GP Ltd., as general partner on behalf of NGTL Limited Partnership**  
**Application dated 27 January 2026**  
**assessed pursuant to section 214 of the *Canadian Energy Regulator Act***

**Kainai Interconnect Project**  
**File 6863507**

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**Pipeline specifications**

<b>Project Type</b>	Pipeline Interconnect
<b>Location (endpoints)</b>	SW 28-007-22 W4M
<b>Approximate Length</b>	10.5 m
<b>Pipeline Size</b>	NPS 1.5 (48.3 mm)
<b>Wall Thickness</b>	5.1 mm
<b>Pipe Material</b>	Steel
<b>Pipe Material Standard</b>	ASTM A106
<b>Pipe Grade</b>	Grade B
<b>External Coating Type</b>	External coating for girth welds, tie-ins and cold bends: External Liquid Coating  Irregular-shaped items coating: Petrolatum coating
<b>Maximum Operating Pressure</b>	9 020 kPa
<b>Product</b>	Sweet Natural Gas