

Enbridge Northern Gateway Project

Joint Review Panel

File OF-Fac-Oil-N304-2010-01 01
24 April 2013

Attorney General of Canada
c/o Mr. Kirk M. Lambrecht, Q.C.
Department of Justice Canada
Prairie Region
300, 10423 – 101 Street
Edmonton, AB T5H 0E7

Dear Sirs:

Northern Gateway Pipelines Inc. (Northern Gateway)
Application for the Enbridge Northern Gateway Project
Hearing Order OH-4-2011
Notice of Motion filed by Attorney General of Canada on 15 April 2013
Ruling no. 157

The Attorney General of Canada seeks an Order permitting the filing of supplementary written evidence of Volume One of Written Evidence filed 22 December 2011 (A37927).

The supplementary written evidence attached as Appendix One to the motion, relates to the documents containing information respecting the Crown's *Aboriginal Consultation Framework for the Enbridge Northern Gateway Project*. Appendix One purports to amend certain terminology in the Government of Canada's written evidence, to reflect the changes in the amended JRP Agreement which were required after the coming into force of the *Jobs, Growth and Long-term Prosperity Act, 2012*. The Attorney General indicates that a witness will be tendered to answer questions on the evidence and argues that there is no prejudice to other parties occasioned by supplementing the existing written evidence as proposed.

On 15 April 2013, C.J. Peter Associates Engineering (CJPAE) filed comments on this motion. CJPAE requests that the motion be denied. Among the reasons cited in support of its position, is the argument that Appendix One is an attempt by the Government of Canada to eliminate the function of the Crown Consultation Coordinator and its report on the adequacy of Crown consultation with Aboriginal groups.

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The Panel has considered these submissions and is of the view that the updates to the evidence are in the nature of administrative corrections required as a result of legislative amendments, rather than supplementary evidence. As such, Mr. Hubbard may update the evidence as outlined during his attendance on Federal Witness Panel 4.

If you have any questions, please contact Mr. Andrew Hudson, Legal Counsel at 403-299-2708 or toll-free at 1-800-899-1265.

Yours truly,



 Sheri Young
Secretary to the Joint Review Panel

c.c. All Parties to Hearing Order OH-4-2011