

Enbridge Northern Gateway Project

Joint Review Panel

File OF-Fac-Oil-N304-2010-01 01
1 November 2012

Ms. Dayna S. Anderson
Counsel, Prairie Region
Department of Justice Canada
301 - 310 Broadway
Winnipeg, MB R3C 0S6

Dear Ms. Anderson:

**Northern Gateway Pipelines Inc. (Northern Gateway)
Application for the Enbridge Northern Gateway Project
Hearing Order OH-4-2011
Notice of Motion filed by Justice Canada dated 30 October 2012
Ruling no. 120**

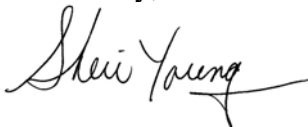
The Joint Review Panel (Panel) for the Enbridge Northern Gateway Project (Project) is in receipt of a motion filed by Justice Canada on behalf of the Federal Government Participants dated 30 October 2012 (e-filing [A48830](#)) requesting an extension to a 31 October 2012 deadline to submit certain evidence, as set out in the Panel's Ruling no. 105.

In Ruling no. 105 dated 24 September 2012, the Panel stated that the Department of Fisheries and Oceans (DFO) could provide "modelling of the potential wave heights and speeds that may have resulted from two previously unrecognized submarine slope failures in the Douglas Channel" (Modelling) and that it should do so by 31 October 2012. The letter from Justice Canada seeks an extension to 16 November 2012 as DFO "requires additional time to complete the peer review and approval processes related to this additional written evidence." The Panel believes the Modelling to be relevant, as noted in Ruling no. 105. The Panel is also of the view that there is unlikely to be any undue prejudice to any party by permitting its filing to be delayed to 16 November 2012.

Accordingly, the Federal Government Participants' motion is granted and DFO is permitted to file the Modelling on or before 16 November 2012.

Should you have any questions, please contact Ms. Carol Vats, Legal Counsel, at 403-299-3643 or 1-800-899-1265.

Yours truly,



Sheri Young
Secretary to the Joint Review Panel



National Energy Board
Office national
de l'énergie

Canada



Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale