

VIA ELECTRONIC SUBMISSION

March 31, 2025

Canada Energy Regulator
Suite 210, 517 Tenth Avenue SW
Calgary, Alberta T2R 0A8

To: [REDACTED]

Dear [REDACTED]:

**Re: Trans Mountain Pipeline ULC (Trans Mountain)
Canadian Energy Regulator Onshore Pipeline Regulations (OPR) Phase 2 Review
Response to Discussion Papers**

In response to the Canada Energy Regulator's (CER) 13 discussion papers issued June 17, 2024, and following the CER's outreach and issue-specific engagement, Trans Mountain submits its responses to the Phase 2 discussion papers.¹ Trans Mountain acknowledges the CER's mandate to align the OPR to reflect the objectives set out in the *Canadian Energy Regulator Act* (CER Act), including advancing Reconciliation with Indigenous Peoples and implementing the *United Nations Declaration of the Rights of Indigenous Peoples Act* (UNDRIP). Trans Mountain also acknowledges the Government of Canada's commitment to enhancing Canada's global competitiveness by building a system that enables decisions to be made in a predictable and timely manner, providing certainty to investors and stakeholders, driving innovation and enabling and carrying out sound projects that creates jobs for Canadians.²

In its [response](#) to Phase 1 of the OPR Review in 2022, Trans Mountain stated that regulatory process efficiencies are needed to construct needed pipeline projects within a reasonable timeframe, and shared its experience under the current regulatory process where project authorizations resulted in numerous conditions applied to a variety of construction areas or spreads with various timelines to be satisfied in advance of construction.

Given recent development in the tariffs proposed by the United States, Canada is evaluating how to diversify its trading partners and grow economic relationships to protect its people from job loss, encourage investment in infrastructure and protect and grow its economy. The CER has an important role in facilitating solutions for energy infrastructure development and has tools, like the OPR, which in its current form, is effective, efficient and scalable. Other tools, such as exemption orders,³ can be expanded beyond the current linear limit to include a larger suite of low-risk activities to ensure that new pipeline connections can be constructed in a timely manner to transport energy to market.

Trans Mountain understands that the OPR review is a necessary step in the context of broader regulatory changes through the passing of Bill C-69 in 2019 and the resulting enactment of the CER Act and Canada's commitment to implement UNDRIP. In Trans Mountain's view, relationship building with Indigenous communities impacted by pipeline development is fundamental to business and is based on a proponent's understanding of the needs and concerns of Indigenous communities. The current OPR

¹ Trans Mountain is concurrently submitting a written response to the CER Technical Heritage Resources Workshop on the OPR and the *Filing Manual* that took place on February 14, 2025.

² CER Act Preamble, PDF p.19.

³ Section 58 Streamlining Exemption Order [XG/XO-100-2012](#) and s.45.1 Decommissioning Exemption Order [XG/XO-100-2008](#).

facilitates relationship building by ensuring companies have processes for external communication while the *Filing Manual* requires a proponent to study and understand the potential impact to communities of a proposed development and undertake measures to avoid or mitigate impact.

As described in the enclosed response to the CER's discussion papers, the OPR, through reference to Canadian Standards Association standards, establishment of programs and management system requirements, is efficient and flexible to effectively manage the unique physical hazards associated with pipelines and should generally continue in its current form.

Should you have any questions or wish to discuss this matter further, please contact the undersigned at

[REDACTED]

Yours truly,

[REDACTED]

[REDACTED]

[REDACTED]

Trans Mountain Canada Inc.

cc: [REDACTED]

Enclosures:

Response to OPR Papers A-M

Response to CER Heritage Resources Workshop Discussion Questions