



Canada Energy
Regulator

Régie de l'énergie
du Canada

Office of the Chief
Executive Officer

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JAN 28 2020

Louissette Lanteigne
700 Star Flower Ave.
Waterloo, Ontario
N2V 2L2

Dear Ms. Lanteigne:

The Canada Energy Regulator (CER) received your correspondence dated 30 December 2019. The CER takes safety and environmental protection seriously. As such, we carefully considered the concerns that you raised.

When the Canadian Energy Regulator Act (CER Act) was passed, the associated transitional provisions ensured that every certificate, licence or permit issued by the National Energy Board is considered to have been issued under the CER Act and remains in force. The CER continues to hold Enbridge accountable for the safe operation of its facilities, including where authorizations were granted under a former name of the company. Further, there are provisions in place that make Enbridge liable in the event of an incident.

Enbridge's obligations under the CER Act go beyond contractual obligations. The authorization to construct or operate a facility comes with responsibility and liability pursuant to the terms of the current CER Act and relevant regulations, and is not limited to the specific terms of the relevant certificate or other authorization.

The CER examines and verifies that the companies it regulates have adequate funding to respond, protect public safety and clean up in the event of a spill. Thus Enbridge would be responsible to take measures to stop the flow of oil, clean up and ensure appropriate environmental remediation in the event of a spill.

Major oil pipeline companies have an absolute liability limit of \$1 billion. This means that Enbridge would be accountable for all costs and damages up to the \$1 billion limit, regardless of whether there is proof that Enbridge were at fault or negligent. If it were proven at fault or negligent, there is no limit to its liability. Enbridge is required by the CER Act to maintain at least \$1 billion in financial resources, or greater if the CER determines it is necessary. Enbridge's financial resource filings, are available to the public on the CER's website under Regulatory Documents at <http://apps.cer-rec.gc.ca/REGDOCS/Item/View/2955535>.

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Thank you for bringing your concerns to our attention. I trust this information helps to clarify the issues you have raised. We would be pleased to provide any additional information or clarity you may require. If you have additional questions, please send them to our new centralized Correspondence Unit (contact@cer-rec.gc.ca) and we will respond promptly.

Yours sincerely,



C. Peter Watson, P. Eng., FCAE
Chief Executive Officer

c.c.: The Honourable Justin Trudeau, Prime Minister of Canada
The Honourable Chrystia Freeland, Deputy Prime Minister
The Honourable Seamus O'Regan, Minister of Natural Resources