
Mainline Optimization Project – CER Hearing Order MH-004-2026 and Intervenor Registration Deadline

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To Ollek, Bhanesha <Bhanesha_Ollek@transmountain.com>

 2 attachments (415 KB)

C41275-1_Commission_-_Letter_-_Trans_Mountain_Pipeline_ULC_-_Application_for_the_Mainline_Optimization_Project_-_Decision_on_process_and_registration_to_participate_-_A9X3R6.pdf; C41275-3_Commission_-_Hearing_Order_MH-004-2026_-_Trans_Mountain_Pipeline_ULC_-_Application_for_the_Mainline_Optimization_Project_-_Decision_on_process_and_registration_to_participate_-_A.pdf;

Good Morning,

Please see attached letter and Hearing Order MH-004-2026 from the Canada Energy Regulator (CER) related to Trans Mountain's August 27, 2026 application for approval of its proposed Mainline Optimization Project.

The Hearing Order outlines the CER's review process and provides information about how to participate in the process. The deadline to apply to participate as an Intervenor is **Thursday, October 22, 2026**.

Copies of the documents are also available at <https://apps.cer-rec.gc.ca/REGDOCS/Item/View/4740659>

Attachments:

- CER letter to Trans Mountain – Mainline Optimization Project
- CER Hearing Order MH-004-2026 – Mainline Optimization Project

Please visit Trans Mountain's website for more information about the proposed Mainline Optimization Project at engage.transmountain.com/mainline-optimization

If you have questions for Trans Mountain, please contact info@transmountain.com or call 1.866.514.6700.

Kind regards,
Bhanesha

Bhanesha Ollek

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File 7133491
16 October 2026

Polina Kireyeva
Regulatory Coordinator
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Dear Polina Kireyeva:

**Trans Mountain Pipeline ULC
Application for the Mainline Optimization Project
Decision on process and registration to participate
MH-004-2026 Hearing Order**

**Before: M. Watton, Presiding Commissioner; S. Luciuk, Commissioner;
L. Bell, Commissioner**

A. Background

On 27 August 2026, Trans Mountain Pipeline ULC (**Trans Mountain**) filed an application ([C40659](#)) for approval to construct and operate the Mainline Optimization Project (**Project**), pursuant to section 214 of the *Canadian Energy Regulator Act*.

On 25 September 2026, the Commission of the Canada Energy Regulator (**CER**) issued a letter ([C40982](#)) communicating its determination that Trans Mountain's application was sufficiently complete to proceed to the assessment process, confirming a 200-day legislated time limit for the Commission to reach a decision on the Project.

The Commission initially received 26 Statements of Concern (**SOC**) regarding the Project. Of these, 18 raised concerns about the Project. Some of the SOC's also included requests for additional process steps in the Commission's assessment process. As directed by the Commission, Trans Mountain responded to the SOC's on 8 October 2026 ([C41186](#)). The Commission subsequently received late SOC filings, which are addressed below.

B. Decision regarding process steps and timing

Having considered all submissions received to date, the Commission has decided to hold a public hearing to assess the Project. The Commission is issuing the MH-004-2026 Hearing Order (attached), which provides process guidance and sets out the hearing steps and deadlines. The **Timetable of Events** is found in Section 3, at page 5 of the Hearing Order.

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Recognizing the importance of meaningful participation, the Commission designed its process to provide participants with fair and effective opportunities to understand the case to be met, ask questions and present evidence and argument, while respecting the legislated 200-day time limit for its decision on the Project. In establishing the process, the Commission considered all comments raised in the SOC's, including comments about the scope, timing, and adequacy of the assessment process and requests for oral hearing steps.

The steps and measures to support meaningful participation include:

- Intervenors may file evidence
- Trans Mountain may file evidence in reply
- Trans Mountain and Intervenors may submit information requests to each other regarding evidence filed
- Trans Mountain and Intervenors may provide oral argument (virtually or in person in Calgary)
- Process Advisors will be available to answer process-related questions and assist with process matters
- Participant funding will be available to facilitate the participation of eligible Intervenors

C. Registering in the hearing

The next step is registration of Intervenors. Should any party who filed an SOC wish to participate in any additional steps, they must file their registration no later than 22 October 2026. While the Commission may permit late registrations, late Intervenors will not be permitted to participate in completed steps.

Information on becoming an Intervenor and registering to participate in the hearing is provided in the attached Hearing Order. Registration will be available from **16 October 2026 – 22 October 2026**.

Given what will be an expedited hearing process, those who intend to participate as an Intervenor are **strongly encouraged to start preparing any additional evidence immediately**.

D. Late SOC's

On 14 October 2026, the Commission received late SOC's from Coldwater Indian Band ([C41240](#)) and Lheidli T'enneh First Nation ([C41231](#)). The Commission will accept these SOC's given the justification provided, the early stage of the hearing, and minimal prejudice to other parties.

Lheidli T'enneh First Nation submitted that a section 214 exemption is not appropriate for this Project because criteria for previously disturbed land, federal lands, and environmental effects are not met. The Commission notes that these criteria are applied to identify negligible-risk projects that are approved by the Commission under Streamlining Order XG/XO-100-2025, as amended. The Commission confirms that this Project is not a negligible-risk project that falls under the Streamlining Order. Instead, the Commission is holding a hearing to assess the application and decide whether to approve the Project.

In a section 214 assessment, the Commission considers all relevant factors including effects on the rights of Indigenous Peoples¹, environmental and socio-economic impacts, safety, and economic feasibility to determine whether the Project is in the public interest.

Coldwater Indian Band and Lheidli T'enneh First Nation may participate in the hearing if they register as an Intervenor in accordance with the instructions in the attached Hearing Order.

E. Serving the Hearing Order

The Commission directs Trans Mountain to serve a copy of this letter and Hearing Order on all potentially affected stakeholders, landowners and Indigenous communities that it served the Notice of Application on, additional Indigenous communities from the initial Crown List, and those who submitted a SOC to date. Notice of the hearing will be published on the CER's website at [Trans Mountain Pipeline ULC – Mainline Optimization Project](#) and in the Project's dedicated folder on the CER's public registry (REGDOCs). The Commission is of the view that those who are potentially affected will have sufficient notice of the hearing through these postings on the CER website, as well as the SOC process and direct service by Trans Mountain. Additional publication of a notice of hearing in newspapers is therefore unnecessary.

Yours sincerely,

Signed by

Ramona Sladic
Secretary of the Commission

Attachment

¹ 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.



Canada Energy
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du Canada

**Trans Mountain Pipeline ULC
Application for the Mainline Optimization Project
File 7133491**

Hearing Order MH-004-2026

16 October 2026

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1. OVERVIEW

1.1. Introduction

This Hearing Order sets out the timetable of events for the hearing. In accordance with subsection 31(3) of the *Canadian Energy Regulator Act* (**CER Act**), this hearing will be carried out as expeditiously as the circumstances and considerations of fairness permit, but, in any case, within the time limit imposed by the Lead Commissioner. The established steps and deadlines are important to allow this hearing to be completed within the 200-day time limit and ensuring that it is fair, transparent, and efficient. During the hearing, the Commission of the Canada Energy Regulator (**CER**) may issue **procedural updates** with further or updated information on specific steps so that parties can fully understand what to expect and what is expected of them.

1.2. What did Trans Mountain apply for?

Trans Mountain Pipeline ULC (**Trans Mountain**) is applying to construct and operate new facilities and pipeline infrastructure and modify the existing Trans Mountain Pipeline System to optimize throughput on Trans Mountain Line 2. If approved, work for the Mainline Optimization Project (**Project**) would occur in Alberta and British Columbia and would include:

- modifying or upgrading equipment at 15 existing Trans Mountain facility sites;
- 11 new Line 2 pump stations;
- 30 kilometres of new nominal pipe size 36 pipe within the existing Trans Mountain Pipeline corridor; and
- three new transmission lines, five new substations, modification to three existing substations, and five new distribution lines.

Trans Mountain requests that the Commission:

- issue an order, under section 214 of the CER Act, approving the Project and exempting Trans Mountain from:
 - the leave to open requirements of paragraph 180(1)(b) and section 213 of the CER Act for final tie-in welds, small diameter piping, temporary bypass piping, field fit welds, and minor upgrades and modifications to existing equipment and facilities;
 - the certificate and detailed route process requirements of subsections 180(1), sections 198, and 199 of the CER Act for the Project;
- approve the deactivation of existing facilities under section 44 of the *Canadian Energy Regulator Onshore Pipeline Regulations* (**OPR**)
- approve the decommissioning of existing facilities under section 45.1 of the OPR
- grant any other relief the Commission deems appropriate.

The above is a summary of the Project and the relief requested of the Commission in Trans Mountain's application. See the application for complete details.

1.3. Where to view the Application and hearing record

In addition to the application, the hearing record will include written evidence, responses to information requests (**IRs**), and oral argument. The entire hearing record is found in the Project's dedicated folder ([Canada Energy Regulator - REGDOCS - 2026-08-27 - Application for the Mainline Optimization Project](#)) in the CER's online public registry (known as REGDOCS).

Copies of the application may also be requested from Trans Mountain's representative below:

Polina Kireyeva
Regulatory Coordinator
Trans Mountain Pipeline ULC
Suite 2700, 300 – 5 Avenue SW
Calgary, AB T2P 5J2
Email polina_kireyeva@transmountain.com

1.4. Additional resources and process help

The CER's [website](#) includes additional detailed information on the hearing process. The *National Energy Board Rules of Practice and Procedure, 1995*¹ (**Rules**) also set out hearing procedures. In the event of an inconsistency between the Rules and this Hearing Order, this Hearing Order should be followed.

Outside the public registry, further Project information can be found on:

- the CER's Project webpage ([CER – Trans Mountain Pipeline ULC Mainline Optimization Project](#)), which contains a Project map, the hearing timeline, hearing-related and process information, and CER contacts;
- Trans Mountain's Project website (<https://engage.transmountain.com/mainline-optimization>); and
- the Project page on the [Canadian Impact Assessment Registry](#) pursuant to subsection 86(1) of the *Impact Assessment Act*.

Process Advisors are available to answer questions and provide process information and assistance to help participants effectively participate in the hearing. The role of a Process Advisor is fully described on the CER's [website](#). The Process Advisors can be reached by phone at 1-800-899-1265 or by email at process.help@cer-rec.gc.ca.

2. PARTICIPATING IN THE HEARING

The Commission will consider all SOC's received to date in its assessment of the Project. Those who wish to participate in further hearing opportunities must register online through the CER's Participation Portal to confirm participation as an Intervenor. Registration will be available from **16 October 2026 – 22 October 2026**. The Participation Portal is found at the following link: <http://www.cer-rec.gc.ca/participate>. The Commission will then issue a List of Parties.

Registration includes verifying contact information to ensure that Intervenor's are served with hearing documents on a go-forward basis. Parties that have not yet filed SOC's are required to explain how their interests may be impacted by the project, or if they may not be impacted, the type of relevant information that they would provide to the Commission. Having reviewed each of the SOC's already filed, the Commission does not require Parties who have filed SOC's to provide this explanation.

¹ Pursuant to paragraph 44(g) of the *Interpretation Act*, the *National Energy Board Rules of Practice and Procedure, 1995* are in force and deemed to have been made under the CER Act, insofar as they are not inconsistent with the CER Act, until they are repealed or replaced.

Those who register **after** the deadline would need to support their application by explaining why they could not meet the deadline, whether parties would be disadvantaged if the request were approved, and if so, why approval would outweigh such disadvantages. In the event the Commission approves an application for late registration, participation will be limited to process steps that occur after registration. The Commission encourages early registration to maximize participation opportunities.

An Intervenor may, among other things, file written evidence, ask questions about Trans Mountain's evidence, and provide argument. Parties are encouraged to provide views on appropriate Project conditions – this can be done as early as the written evidence stage. Intervenor's that file written evidence must answer any questions asked about their evidence. The CER website provides further information on participating as an Intervenor.² Intervenor's **may** be eligible for participant funding (see **Section 2.1** below).

Anyone may observe and follow the public hearing process by monitoring participants' filings, the Commission's correspondence, and transcripts as they are posted on the public registry.

2.1. Participant funding

Participant funding may be available to facilitate the participation of eligible intervenors, including:

- Indigenous Peoples;
- individuals (such as landowners); and
- non-industry not-for-profit groups with a direct local interest or expertise on the anticipated effects of the Project.

The CER's Participant Funding Program is administered independently of the Commission. Information on the Participant Funding Program is found on the CER's [webpage](#) and more details will be available when the List of Parties is issued.

3. TIMETABLE OF EVENTS

The hearing steps and deadlines are outlined in the table below. Additional details on the following hearing steps can be found on the CER's [webpage](#):³

- IRs;
- intervenor evidence; and
- argument.

For each deadline, unless directed otherwise, the Commission must receive documents **by 5:00 pm Calgary time**. The CER's [webpage](#) includes information on what to do if a deadline cannot be met.

Parties must raise any question of procedure or substance with the Commission **at the earliest opportunity possible** in fairness to other parties and so as not to disrupt the hearing schedule. If a notice of motion is not filed in a timely way, the Commission may decide to deny it.

² Visit: [CER – How to Participate as an Intervenor](#)

³ The context of this website is for section 183 applications, but the information related to some of the hearing steps and procedures is also applicable to the hearing for this section 214 application.

Process step	Deadline (5pm Calgary time, 4pm Pacific time)
Intervenors register to participate in further steps	22 October 2026
Intervenors file evidence	12 November 2026
Trans Mountain files reply evidence	24 November 2026
Intervenors and Trans Mountain file IRs to all	4 December 2026
Trans Mountain and Intervenors file IR responses from all	18 December 2026
Two-week holiday break	
Trans Mountain and Intervenors participate in oral argument (Calgary, with virtual option)	26-27 January 2027
Legislated time limit	13 April 2027

4. PROCEDURES

For information related to preparing documents, filing and serving documents, notices of motion, confidential filings and other process information, please see the CER's [webpage](#). Also see the Rules for information on hearing procedures.

CANADIAN ENERGY REGULATOR

Signed by

Ramona Sladic
Secretary of the Commission