



Canada Energy
Regulator

Régie de l'énergie
du Canada

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

517, Dixième Avenue S.-O.
bureau 210
Calgary (Alberta)
T2R 0A8

File 4668651
5 February 2026

Lee Nanos
Trans-Northern Pipelines Inc.
310 - 45 Vogell Road
Richmond Hill, ON L4B 3P6

Dear Lee Nanos:

**Trans-Northern Pipelines Inc.
Application dated 16 July 2025 to change the approved maximum operating
pressure of the NPS 10 Montreal to Ste Rose pipeline and to remove the
pipeline from Order AO-001-SO-T217-03-2010**

**Before: K. Penney, Presiding Commissioner; T. Grimoldby, Commissioner;
J.-D. Charlebois, Commissioner**

On 16 July 2025, the Canada Energy Regulator (**CER**) received an application from
Trans-Northern Pipelines Inc. (**TNPI**) requesting that the Commission of the CER:

- vary Certificate OC-3 to change the approved maximum operating pressure (**MOP**)
of the nominal pipe size (**NPS**) 10 Montreal to Ste Rose pipeline (**Pipeline**) from
1,200 psi (equivalent to 8 275 kPa) to 5 793 kPa;
- vary Order AO-001-SO-T217-03-2010 to remove the Pipeline from Schedule B; and
- grant such further and other relief as TNPI may request and the Commission may
consider appropriate.

The Commission notes that, although TNPI applied for both variances under section 69 of
the *Canadian Energy Regulator Act* (**CER Act**), section 190 applies to the request to vary
Certificate OC-3. For the reasons set out below, the Commission grants the requested relief.

Test for applications to review and vary previous decisions or orders

Subsection 69(1) of the CER Act provides that the Commission may review, vary, or rescind
any decision or order it makes. There is no automatic right of review. Rather, the
Commission has a discretionary power to review its decisions, which it must exercise
sparingly and with caution.¹

.../2

¹ See Guide N of the [Filing Manual](#).

The Commission considers applications for review through a two-step process.² In step 1, the Commission considers whether the applicant has raised a doubt as to the correctness of the decision. The Commission will consider any ground that raises a doubt, including an error of law or of jurisdiction, changed circumstances or new facts that have arisen since the close of the original proceeding, or facts that were not placed in evidence in the original proceeding and that were then not discoverable by reasonable diligence. A review application must also include the nature of the prejudice or damage that has resulted or will result from the decision or order. If the Commission finds that the applicant has met step 1, then it will proceed to step 2 and determine whether the decision should be confirmed, amended, or overturned.

Although this test is specific to applications under section 69 of the CER Act to vary decisions and orders, and not to applications under section 190 of the CER Act to vary certificates, the Commission considered TNPI's application to vary Certificate OC-3 following a similar analysis, due to the change in circumstances that prompted the application.

Application to amend Certificate OC-3 to change the MOP to 5 793 kPa

The Commission grants TNPI's request to vary Certificate OC-3 to change the approved MOP for the Pipeline, on the basis that the circumstances of the Pipeline have changed since the issuance of Certificate OC-3, and the new circumstances support the requested change in MOP.

Certificate OC-3 approves an MOP of 1,200 psi (equivalent to 8 275 kPa) for the Pipeline. To address safety concerns, the Pipeline has been restricted to a lower MOP since 20 September 2016, pursuant to Order AO-001-SO-T217-03-2010, which, at the time of the application, was 5 793 kPa. Rather than applying pursuant to Condition 4.f of Order AO-001-SO-T217-03-2010 to resume operating the Pipeline at its higher approved MOP, TNPI applied to change the approved MOP to the lower MOP of 5 793 kPa at which it is currently operating. TNPI stated that, due to a change in throughput requirements, it will continue to operate the Pipeline at or below 5 793 kPa. The Commission finds that this change in throughput requirements is a change in circumstances that supports TNPI's application to vary the Certificate.

The Commission is satisfied that TNPI has demonstrated through its submissions that it is safe to continue to operate the Pipeline at an MOP of 5 793 kPa. In support of its application, TNPI relied on an annual engineering assessment for the Pipeline that it submitted to the CER on 26 September 2024, in accordance with the requirements of Order AO-001-SO-T217-03-2010, as well as a "compliance review report" submitted with the application that provided an update on the fitness-for-service status of the Pipeline, and its responses to CER requests for further information.

The Commission finds that TNPI could be prejudiced if Certificate OC-3 was not amended to change the MOP for the Pipeline to 5 793 kPa because TNPI has demonstrated that it is safe to continue to operate at 5 793 kPa, while Order AO-001-SO-T217-03-2010 reflects that the Pipeline is not safe to operate at the higher MOP currently approved by Certificate OC-3. If the Commission were to not vary Certificate OC-3 to change the approved MOP to 5 793 kPa, then the Pipeline may become subject to additional safety orders in the future.

² *National Energy Board Rules of Practice and Procedure, 1995, Part III.*

Accordingly, the Commission issues Order AO-003-OC-3 to vary Certificate OC-3 to change the MOP for the Pipeline to 5 793 kPa.

Application to vary Order AO-001-SO-T217-03-2010 to remove the Pipeline from Schedule B

The Commission grants TNPI's request to remove the Pipeline from Schedule B of Order AO-001-SO-T217-03-2010, on the basis that the circumstances of the Pipeline have changed since the issuance of Order AO-001-SO-T217-03-2010, and the new circumstances support the removal of the Pipeline from the Order.

Two main circumstances have changed since the issuance of Order AO-001-SO-T217-03-2010 in relation to the Pipeline. First, the Commission has approved, above, a lower MOP of 5 793 kPa. Second, TNPI has demonstrated through past submissions to the CER that it has met the requirements of Order AO-001-SO-T217-03-2010 that apply to its entire pipeline system, including the Pipeline (i.e., Conditions 4.a to 4.e). As a result of these two changes in circumstance, the Commission finds that the safety concerns that resulted in including the Pipeline in Order AO-001-SO-T217-03-2010 have been resolved by TNPI. Accordingly, the Commission finds that it is no longer necessary to include the Pipeline in Order AO-001-SO-T217-03-2010.

The Commission finds that TNPI would be prejudiced if the Commission were to not vary Order AO-001-SO-T217-03-2010 to remove the Pipeline, because TNPI would continue to be required to file yearly engineering assessments for the Pipeline pursuant to Condition 2.c, despite having resolved all safety concerns that led to that requirement. Accordingly, the Commission issues Order AO-014-SO-T217-03-2010 to vary Order AO-001-SO-T217-03-2010 to remove the Pipeline from Schedule B.

Yours sincerely,

Signed by

Ramona Sladic
Secretary of the Commission

Attachments: Order AO-003-OC-3
Order AO-014-SO-T217-03-2010

c.c. Jane Keast, TNPI
Gail Sharko, TNPI



ORDER AO-003-OC-3

IN THE MATTER OF the *Canadian Energy Regulator Act* (**CER Act**) and the regulations made thereunder; and

IN THE MATTER OF an application dated 16 July 2025, made by Trans-Northern Pipelines Inc. (**TNPI**), filed with the Canada Energy Regulator (**CER**) under File 4668651.

BEFORE the Commission of the CER on 4 February 2026.

WHEREAS the CER regulates the construction and operation of the TNPI pipeline system;

AND WHEREAS on 9 February 1961, the National Energy Board (**NEB**) issued Certificate OC-3;

AND WHEREAS on 1 August 1963, the NEB issued Amending Order AO-1-OC-3;

AND WHEREAS on 22 November 1963, the NEB issued Amending Order AO-2-OC-3;

AND WHEREAS Certificate OC-3, as amended, approves the maximum operating pressure (**MOP**) for the nominal pipe size (**NPS**) 10 Montreal to Ste Rose pipeline as 1,200 psi (equivalent to 8 275 kPa);

AND WHEREAS the Commission received an application from TNPI, dated 16 July 2025, to vary Certificate OC-3 to change the MOP of the NPS 10 Montreal to Ste Rose pipeline to 5 793 kPa;

AND WHEREAS on 4 February 2026, the Commission issued its reasons for granting TNPI's requested relief;

IT IS ORDERED that, pursuant to subsection 190(1) of the CER Act, Certificate OC-3 is varied to change the MOP for the NPS 10 Montreal to Ste Rose pipeline to 5 793 kPa.

THE COMMISSION OF THE CANADA ENERGY REGULATOR

Ramona Sladic
Secretary of the Commission



ORDER AO-014-SO-T217-03-2010

IN THE MATTER OF the *Canadian Energy Regulator Act* (**CER Act**) and the regulations made thereunder; and

IN THE MATTER OF an application dated 16 July 2025, made by Trans-Northern Pipelines Inc. (**TNPI**), pursuant to section 69 of the CER Act, filed with the Canada Energy Regulator (**CER**) under File 4668651.

BEFORE the Commission of the CER on 4 February 2026.

WHEREAS the CER regulates the construction and operation of the TNPI pipeline system;

AND WHEREAS on 20 September 2016, the National Energy Board issued a Letter Decision and Order AO-001-SO-T217-03-2010, which it varied on 24 October 2016 and 11 April 2017, and the Commission further varied on 17 July 2020, 8 June 2022, 6 September 2022, 1 November 2022, 30 November 2022, 5 September 2023, 11 March 2024, 9 September 2024, 10 June 2025, and 15 August 2025;

AND WHEREAS Order AO-001-SO-T217-03-2010 imposes certain requirements on TNPI in relation to the safe operation of the nominal pipe size (**NPS**) 10 Montreal to Ste Rose pipeline;

AND WHEREAS the Commission received an application from TNPI, dated 16 July 2025, to vary Order AO-001-SO-T217-03-2010 to remove this pipeline from Schedule B, and to vary Certificate OC-3 to change the maximum operating pressure of the pipeline (**MOP**) to 5 793 kPa;

AND WHEREAS on 4 February 2026, the Commission issued its reasons for granting TNPI's requested relief;

IT IS ORDERED that, pursuant to subsection 69(1) of the CER Act, Order AO-001-SO-T217-03-2010, as amended, is varied by deleting Line 1 in Schedule B to remove the NPS 10 Montreal to Ste Rose pipeline. The varied Schedule B is attached to this order.

THE COMMISSION OF THE CANADA ENERGY REGULATOR

Ramona Sladic
Secretary of the Commission

SCHEDULE B

Order AO-014-SO-T217-03-2010
Trans-Northern Pipelines Inc.
Variation to Order AO-001-SO-T217-03-2010

Schedule B – Pressure Reduction of 30% of Authorized MOP (as Specified).

Line Number	Line Section	Outside Diameter (mm)	Wall Thickness (mm)	Authorized MOP (KPa)	Reduced MOP (KPa) (70% MOP)
1	NPS 10 Montreal to Ste Rose	273.1	7.8	8275	5793
2	NPS 10 Dorval Lateral	273.1	6.35	9653	6757
3	NPS 10 Farran's Point to Cummer Junction	273.1	7.8	8275	5793
4	NPS 10 Cummer Junction to Oakville	273.1	7.8	8275	5793
10	NPS 10 Toronto Airport Lateral	273.1	6.35	8894	6226 ¹
12	NPS 10 Montreal Feeder System	273.1			70% MOP

¹ Pursuant to the Commission's 21 November 2025 decision, the MOP at which TNPI can operate this pipeline is further reduced to 2 413 kPa until TNPI files an engineering assessment with the CER that demonstrates that the pipeline is safe to operate at a different MOP.