

National Energy  
Board



Office national  
de l'énergie

File OF-Fac-Gas-D159-2009-C101  
12 August 2009

Ms. Patricia Planting  
Dawn Gateway GP  
501 Keil Drive North  
Chatham, ON N7M 5M1  
Facsimile 519-436-4609

Mr. L. E. Smith, Q.C.  
Bennett Jones LLP  
4500, 855 – 2<sup>nd</sup> Street SW  
Calgary, AB T2P 4K7  
Facsimile 403-265-7219

Dear Ms. Planting and Mr. Smith:

**Dawn Gateway Pipeline General Partner Inc.'s (Dawn Gateway GP)  
Updated Evidence dated 17 July 2009, submitted pursuant to section 58 of the  
National Energy Board Act**

The National Energy Board has reviewed the above-noted filing dated 17 July 2009 and has classified the application as a Category C for the purposes of Board review and assessment.

Section 58 applications are classified into one of three categories based on the following information available at the time that the application is filed:

- the level of complexity;
- the estimated number and type of information requests which may be generated;
- the probability of third-party interest; and
- the level to which a Federal Authority may become involved in the environmental assessment of the application.

The Board strives to release a decision regarding applications categorized as "C" within 120 days from the date of filing, 80 per cent of the time. The first business day which is one hundred and twenty days from the filing date of this application is 16 November 2009.

The Board notes however that it retains the discretion to convert the consideration of this application from a written process to an oral public hearing, if circumstances warrant. In such a case, the timelines for the release of a decision may be longer.

Dawn Gateway GP is directed to serve a copy of this letter on all interested persons.

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Should you have any further procedural questions regarding this matter, please do not hesitate to contact Diana Audino, Counsel, at 403-299-3552.

Yours truly,



for Anne-Marie Erickson  
Acting Secretary of the Board