

VIA EMAIL SUBMISSION

13 November 2015

National Energy Board
517 Tenth Avenue S.W.
Calgary, Alberta T2R 0A8

To: Ms. Sheri Young, Secretary National Energy Board

Dear Ms. Young:

Re: Update to the National Energy Board's Damage Prevention Regulatory Framework
NEB File: Ad-GA-ActsLeg-Fed-NEBA-RRG-DPR 0201

Kinder Morgan Canada Inc. ("Kinder Morgan"), operator of Trans Mountain Pipeline ULC, is in receipt of the National Energy Board's (the "Board") letter dated 20 October 2015 soliciting comments from industry with respect to the Board's Damage Prevention Regulatory Framework, and particularly, proposed changes to the *National Energy Board Act*, *National Energy Board Pipeline Crossing Regulations Part I and II* and the *National Energy Board Administrative Monetary Penalties Regulations*.

The Canadian Energy Pipeline Association ("CEPA") has submitted comments to the Board concurrent with this submission. Kinder Morgan is a member of CEPA, and has been involved in discussions leading up to those comments, and supports the comments of CEPA. In addition to those comments, Kinder Morgan would like to offer an additional comment with respect to "prescribed area". Currently the proposed framework does not define "prescribed area". To prevent ambiguity, Kinder Morgan recommends that the Board include a definition of "prescribed area" that aligns with Federal and Provincial regulatory safety zone expectations, within section 2 (definitions) of the *National Energy Board Act*.

Kinder Morgan thanks the Board for the opportunity to provide feedback on the Damage Prevention Regulatory Framework.

Yours truly,



Hugh Harden
Vice President, Operations and Engineering
Kinder Morgan Canada Inc.