



# Compensation Hearing Application

## Please read carefully – Important information to know in completing this form

If you and the company cannot agree on compensation payable under Part 6 of the *Canadian Energy Regulator Act (CER Act)*, either party can file an application pursuant to section 327 of the CER Act using this form.

This form and any future documents you file with the Canada Energy Regulator (**CER**), including any personal information, will appear in the CER's online public registry, and can be accessed and viewed by the public. Your contact information will be used by parties in the proceeding to contact you or serve documents on you.

If you submit sensitive information, you may request the CER to treat the information as confidential pursuant to sections 60 or 61 of the CER Act.<sup>1</sup> Generally, the CER has held that there is a public interest in an open and accessible process and that confidentiality orders should be the exception.

Pursuant to section 334 of the CER Act, the Commission may, by order, give directions, including to determine any compensation payable under Part 6 of the CER Act, with respect to pipelines and abandoned pipelines in relation to:

- (a) the acquisition, lease or taking of lands;
- (b) lands whose use is restricted by the operation of section 335 of the CER Act, whether or not the lands were acquired, leased, or taken; and
- (c) damages caused by the activities of the company to any person, provincial government, local authority and government or Indigenous governing body during their planning, construction, operation or abandonment.

In determining any compensation matter under paragraph 334(1)(a) of the CER Act, the Commission must consider the factors referred to in [paragraphs 327\(2\)\(a\) to \(j\)](#) of the CER Act.

## Alternative Dispute Resolution

Often issues can be best resolved directly between you and the company. The CER staff is available to help facilitate resolution of a dispute. Alternative dispute resolution (**ADR**) staff can help parties better understand the issues, work through disputes, and find practical solutions. ADR is collaborative, interest-based, confidential, and voluntary. When ADR is used, parties have more ownership over process and outcomes.

ADR services are available from the CER to help parties resolve disputes outside of the Commission's hearing processes. ADR is an option to resolve a dispute before considering other formal processes the CER may provide, but it is not a prerequisite. You can read more about ADR on the CER website ([www.cer-rec.gc.ca/adr](http://www.cer-rec.gc.ca/adr)).

To seek additional information or to arrange for ADR services, please contact the CER's ADR staff toll free at 1 (800) 899-1265 or by email at [ADR-RED@cer-rec.gc.ca](mailto:ADR-RED@cer-rec.gc.ca).

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<sup>1</sup> See also [section 1.5](#) of the CER Filing Manual and [section 35](#) of the *National Energy Board Rules of Practice and Procedure*, 1995.



## Completing this form

This form can be completed electronically or you can print a copy and complete it legibly in writing. See Part I below for instructions on how to file your completed form.

You can attach additional pages as necessary (see Part H for more information on providing attachments).

Refer to the CER's website for further information about compensation hearings, including the factors the Commission will consider in making its determinations ([www.cer-rec.gc.ca/compensation](http://www.cer-rec.gc.ca/compensation)).

If you have process questions, contact us toll free at 1 (800) 899-1265 and ask to speak with someone about compensation hearing applications, or email [Compensation.Help@cer-rec.gc.ca](mailto:Compensation.Help@cer-rec.gc.ca).

## The form starts on the next page



## Compensation Hearing Application

### Part A – Applicant information

<b>Name:</b>	<b>Property Address:</b>		
<b>Title/position:</b>	<b>City:</b>		
<b>Organization:</b>	<b>Province:</b>		
<b>Telephone:</b>	<b>Postal code:</b>		
<b>Fax:</b>	<b>Email:</b>		
<b>Preferred Method of receiving hearing correspondence:</b>	<b>Mail</b>	<b>Fax</b>	<b>Email</b>

### Part B – Description of lands for this application

Check box if you have attached additional information (and note this in Part H)

<b>(a) Legal description of lands this application pertains to:</b>		
<b>(b) Describe the nature of your interest in the lands described above:</b>		
<b>Registered owner</b>	<b>Tenant</b>	<b>Lease Holder</b>
<b>Indigenous community</b>	<b>Other user of lands (describe)</b>	
<b>(c) Provide a short description of the lands to assist in locating your lands. If the company has provided you with a sketch or drawing, you can attach it to your application, or you can provide a map or sketch showing the existing and/or proposed pipeline location(s) as well as above ground structures, if applicable:</b>		

The form continues on the next page



### Part C – If you have an authorized representative

If you are allowing someone to file or present information in the Compensation Hearing on your behalf (i.e., an authorized representative, such as a lawyer), provide their information below. Otherwise leave Part C blank.

<b>Name:</b>	<b>Property Address:</b>
<b>Title/position:</b>	<b>City:</b>
<b>Organization:</b>	<b>Province:</b>
<b>Telephone:</b>	<b>Postal code:</b>
<b>Fax:</b>	<b>Email:</b>
<b>Preferred Method of receiving hearing correspondence:</b> <b>Mail</b> <b>Fax</b> <b>Email</b>	

### Part D – About the company

<b>(a) Name of the Company:</b>
<b>(b) Provide the name and contact details of the company employee or representative that presented you with the last offer of compensation:</b>
<b>(c) Is this in relation to a particular project proposed by the company? If yes, please provide the name of the project:</b>

The form continues on the next page



## Part E – Description of your compensation dispute

Provide detailed information about your compensation dispute for each matter for which you are seeking a decision on compensation, as applicable. Refer to sections 319, 327, and 334 of the CER Act as to what compensation matters are applicable.

**Check box if you have attached additional information (and note this in Part H)**

**(a) If applicable, describe your dispute regarding the acquisition, lease, or taking of land:**

**(b) If applicable, describe your dispute regarding lands whose use is restricted by the operation of section 335 of the CER Act, whether or not the lands were acquired, leased, or taken:**

**(c) If applicable, describe your dispute regarding damages caused by the activities of the company during their planning, construction, operation or abandonment:**

The form continues on the next page



## Part F – Background or previous interactions with the company

Provide in chronological order, the relevant interactions, discussions and correspondence you have had with the company regarding the compensation dispute you described in Part E. Do not include information that was shared in a negotiation process unless you have first obtained a waiver of privilege from the company. Consider including details such as dates, events, itemization of compensation offered, etc.

**Check box if you have attached additional information (and note this in Part H)**

The form continues on the next page



## Part G – Remedy or actions sought

Describe how you would like your compensation dispute (as described in Part E above) resolved by the Commission (e.g., what are you seeking or what would you like the Commission to include in its order regarding your compensation dispute).

**Check box if you have attached additional information (and note this in Part H)**

**(a) Describe what you are seeking or what you would like the Commission to include in an order for your dispute regarding the acquisition, lease or taking of land:**

**(b) Describe what you are seeking or what you would like the Commission to include in an order for your dispute regarding lands whose use is restricted by the operation of section 335 of the CER Act, whether or not the lands were acquired, leased, or taken:**

**(c) Describe what you are seeking or what you would like the Commission to include in an order for your dispute regarding damages caused by the activities of the company during their planning, construction, operation or abandonment:**

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## Part H – Attachments to this application

If you have any attachments, please itemize them below and file them as attachments to this application:

**Example:**

1. map of my property

Please note that each attachment will need to be filed separately (see Part I below).

**The form continues on the next page**





## Part I – Filing your completed compensation hearing application

The CER does not accept filings by email.

Below are the options you can use to file your completed Compensation Hearing Application.

**1. Preferred method**

You can complete this form online, save it on your computer, and e-file it through the CER's e-filing tool (<https://apps.cer-rec.gc.ca/efile/ElectronicDocumentSubmission.aspx>). Step-by-step instructions are provided in the e-filing tool. Documents filed through the e-filing tool must be in PDF format.

2. You can print this form and you can send a copy to the CER by fax at (403) 292-5503 or 1 (877) 288-8803 (toll free).

3. You can mail or courier to the following:

**Secretary of the Commission  
Canada Energy Regulator  
210 - 517 10 Ave SW  
Calgary, AB T2R 0A8**

For any questions about this application or how to file it, please contact the CER toll free at 1 (800) 899-1265.

**Once you have completed this form and provided it to the CER, you acknowledge that the information in this form and any attachments will appear in the CER's online public registry, and can be accessed and viewed by the public.**

If you submit sensitive information, you may request the CER to treat the information as confidential pursuant to sections 60 or 61 of the CER Act CER Act.<sup>2</sup> Generally, the CER has held that there is a public interest in an open and accessible process and that confidentiality orders should be the exception.

<b>Print Your Name:</b>
<b>Signature:</b>
<b>Date (DD MM YYYY):</b>

<sup>2</sup> See also [section 1.5](#) of the CER Filing Manual and [section 35](#) of the *National Energy Board Rules of Practice and Procedure*, 1995.