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Regulator

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File 4668651
10 July 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 20 August 2025 to change the approved maximum operating pressure of the NPS 10 Montreal Feeder System and to remove the pipeline from Order AO-001-SO-T217-03-2010

Before: K. Penney, Presiding Commissioner; J.-D. Charlebois, Commissioner; M. Watton, Commissioner

On 20 August 2025, the Canada Energy Regulator (**CER**) received an application from Trans-Northern Pipelines Inc. (**TNPI**) requesting that the Commission of the CER:

- vary Certificate of Public Convenience and Necessity (**Certificate**) OC-3 to change the approved maximum operating pressure (**MOP**) of the nominal pipe size (**NPS**) 10 Montreal Feeder System (**Pipeline**) from 1,200 psi (equivalent to 8 274 kPa) to 3 475 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.

The Commission also notes that the Pipeline is comprised of two sections. The Shell Station to Valero (Ultramar) Station section (**Section 1**) is deactivated, while the Valero (Ultramar) Station to Montreal Station section (**Section 2**) is actively delivering product.¹ In a subsequent filing, TNPI confirmed that it requests removal of both Section 1 and Section 2 from Order AO-001-SO-T217-03-2010, but that it only wishes to vary Certificate OC-3 to change the MOP for Section 2. For the reasons set out below, the Commission grants the requested relief for Section 2 of the Pipeline, and denies TNPI's request to remove Section 1 of the Pipeline from Schedule B of Order AO-001-SO-T217-03-2010.

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¹ The deactivated Section 1 is maintained with nitrogen at 200 kPa in accordance with Order [MO-029-2020](#).

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.²

The Commission considers applications for review through a two-step process.³ 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 for Section 2 to 3 475 kPa

The Commission grants TNPI's request to vary Certificate OC-3 to change the approved MOP for Section 2 of the Pipeline, on the basis that the circumstances of Section 2 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 8 274 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 70 per cent of the approved MOP (i.e., approximately 5 792 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 3 475 kPa. TNPI stated that, due to a change in throughput requirements, it will operate the Pipeline at or below 3 475 kPa. The Commission finds that this change in throughput requirements is a change in circumstances that supports TNPI's application to vary the Certificate for Section 2 of the Pipeline.

The Commission is satisfied that TNPI has demonstrated through its submissions that it is safe to operate Section 2 of the Pipeline at an MOP of 3 475 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 the "Engineering Assessment and CSA Z662 Compliance Review Report" submitted with the Application that provided an update on the fitness-for-service status of the Pipeline, and TNPI's responses to CER requests for further information.

² See Guide N of the [Filing Manual](#).

³ *National Energy Board Rules of Practice and Procedure*, 1995, Part III.

Accordingly, the Commission issues Order AO-004-OC-3 to vary Certificate OC-3 to change the MOP for Section 2 of the Pipeline to 3 475 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 Section 2 of the Pipeline from Schedule B of Order AO-001-SO-T217-03-2010, on the basis that the circumstances of Section 2 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 Section 2 of the Pipeline. First, the Commission has approved, above, a lower MOP of 3 475 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 Section 2 of 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 Section 2 of the Pipeline in Order AO-001-SO-T217-03-2010 have been resolved by TNPI. The Commission therefore finds that it is no longer necessary to include Section 2 of the Pipeline in Order AO-001-SO-T217-03-2010, and issues Order AO-017-SO-T217-03-2010 to vary Order AO-001-SO-T217-03-2010 to remove Section 2 of the Pipeline from Schedule B.

The Commission denies TNPI's request to remove Section 1 of the Pipeline from Schedule B of Order AO-001-SO-T217-03-2010. Order AO-001-SO-T217-03-2010 reduces the MOP at which TNPI is authorized to operate Section 1 of the Pipeline for safety reasons. The approved MOP for the Pipeline is set out in Certificate OC-3 as 1,200 psi (equivalent to 8 274 kPa). TNPI did not apply to vary Certificate OC-3 to reduce the approved MOP for Section 1 of the Pipeline. While the Commission acknowledges that, pursuant to Order MO-029-2020, Section 1 is currently in a deactivated state with an MOP of 200 kPa, the Commission notes that a deactivation is a temporary removal from service. Accordingly, the MOP set by Order MO-029-2020 is temporary. When Section 1 is reactivated, the MOP approved by Certificate OC-3 will again apply, unless TNPI applies at that time to change the approved MOP. TNPI did not demonstrate that it is safe to operate Section 1 at the approved MOP set out in Certificate OC-3 upon future reactivation, such that the Commission denies TNPI's request to remove Section 1 from Order AO-001-SO-T217-03-2010.

Future applications

The Commission directs TNPI to the last paragraph of the Commission's decision letter dated 28 April 2026,⁴ which sets out concerns about future applications that, in part, pertain to the Application. TNPI was required to correct deficiencies in the Application prior to the Commission arriving at its decision to grant the requested relief. The Commission reminds TNPI that it is TNPI's responsibility to address these concerns before submitting any future applications to remove pipelines from Order AO-001-SO-T217-03-2010.

⁴ [CER Letter, Orders AO-001-OPLO-2-10-69 and AO-015-SO-T217-03-2010](#)

Yours sincerely,

S. Wong for

Ramona Sladic
Secretary of the Commission

Attachments: Order AO-004-OC-3
Order AO-017-SO-T217-03-2010

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



ORDER AO-004-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 20 August 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 10 July 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 of Public Convenience and Necessity (**Certificate**) OC-3;

AND WHEREAS the NEB varied Certificate OC-3 on 1 August and 22 November 1963, and the Commission varied it on 4 February 2026;

AND WHEREAS Certificate OC-3, as amended, approves the maximum operating pressure (**MOP**) for the nominal pipe size (**NPS**) 10 Montreal Feeder System pipeline as 1,200 psi (equivalent to 8 274 kPa);

AND WHEREAS the Commission received an application from TNPI, dated 20 August 2025, to vary Certificate OC-3 to change the MOP of the NPS 10 Montreal Feeder System pipeline to 3 475 kPa;

AND WHEREAS TNPI clarified in subsequent correspondence dated 30 January 2026 that its request was only in relation to the Valero (Ultramar) Station to Montreal Station section of the NPS 10 Montreal Feeder System pipeline, and not the Shell Station to Valero (Ultramar) Station section;

AND WHEREAS on 10 July 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 Valero (Ultramar) Station to Montreal Station section of the NPS 10 Montreal Feeder System pipeline to 3 475 kPa.

THE COMMISSION OF THE CANADA ENERGY REGULATOR

S. Wong for

Ramona Sladic
Secretary of the Commission



ORDER AO-017-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 20 August 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 10 July 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, 15 August 2025, 4 February 2026, 28 April 2026, and 1 June 2026;

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 Feeder System pipeline;

AND WHEREAS the CER received an application from TNPI, dated 20 August 2025, to vary Order AO-001-SO-T217-03-2010 to remove this pipeline from Schedule B, and to vary Certificate of Public Convenience and Necessity OC-3 to change the maximum operating pressure of the pipeline to 3 475 kPa;

AND WHEREAS on 10 July 2026, the Commission issued its reasons for granting TNPI's request to vary Order AO-001-SO-T217-03-2010 to remove the Valero (Ultramar) Station to Montreal Station section of the NPS 10 Montreal Feeder System pipeline from Schedule B, and for denying TNPI's request to vary Order AO-001-SO-T217-03-2010 to remove the Shell Station to Valero (Ultramar) Station section of the NPS 10 Montreal Feeder System pipeline from Schedule B;

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 removing the Valero (Ultramar) Station to Montreal Station section of the NPS 10 Montreal Feeder System pipeline at line 12 in Schedule B and specifying that the portion remaining is the Shell Station to Valero (Ultramar) Station section.

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A copy of Schedule B, as varied, is attached to this Order.

THE COMMISSION OF THE CANADA ENERGY REGULATOR

S. Wong for

Ramona Sladic
Secretary of the Commission

SCHEDULE B

Order AO-017-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)
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 - Shell Station to Valero (Ultramar) Station	273.1			70% MOP ²

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.

² The Shell Station to Valero (Ultramar) Station section of the Montreal Feeder System pipeline is deactivated under Order [MO-029-2020](#).