

National Energy Board



Office national de l'énergie

22 January 2016

THE REGISTRAR
 Supreme Court of Canada
 301 Wellington Street
 Ottawa, ON K1A 0J1
 Facsimile (613) 996-9138

Dear Sirs/Mesdames:

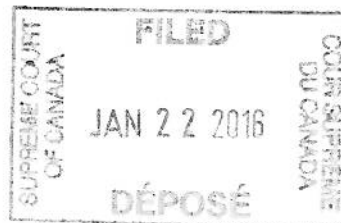
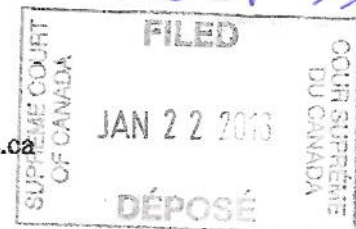
Chippewas of the Thames First Nation v. Enbridge Pipelines Inc. et al.
Supreme Court of Canada File No.: 36776

We are in receipt of a copy of an Application for Leave to Appeal dated 18 December 2015. We note the letter dated 22 December 2015 addressed to counsel for the Applicant from this Honourable Court indicated that should a respondent intend to submit a response, it must be served and filed within 30 days of the date of that letter. That letter was received by the National Energy Board (Board) on 19 January 2016.

As counsel for the Board, I am writing to advise you that the Board is not taking a position on the leave application. However, the Board may participate at the appeal stage should leave be granted. As the Tribunal whose decision is being appealed, costs should not be awarded against the Board as requested in the Application for Leave to Appeal.

Please note the counsel on this matter for the Board are:

C. Rebecca Brown and Parvez Khan
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Kindly provide a copy of the Order in this matter when granted.

Yours truly,



C. Rebecca Brown
Counsel
National Energy Board

cc: David Nahwegahbow and Scott Robertson, Counsel for the Applicants, Facsimile (705) 325-7204
Moira S. Dillon, Agent for the Applicants, Facsimile (613) 691-1338
Douglas Crowther & Joshua Jantzi, Counsel for the Respondent, Enbridge Pipelines Inc., Facsimile (403) 268-3100
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