

**BOARD OF COMMISSIONERS  
OF PUBLIC UTILITIES OF NEW BRUNSWICK**

IN THE MATTER of an Application for a  
Permit to Construct a Pipeline by the Potash  
Corporation of Saskatchewan Inc.

**ORDER**

WHEREAS the Potash Corporation of Saskatchewan Inc. (the "Applicant") was granted a Local Gas Producer Franchise by a decision of the Board of Commissioners of Public Utilities of New Brunswick (the "Board") delivered orally on July 31, 2001;

AND WHEREAS the Applicant has entered into a Franchise Agreement with the Province of New Brunswick;

AND WHEREAS the Applicant has applied to the Board by application dated December 21, 2001 (the "Application") for a Permit to Construct a Pipeline;

AND WHEREAS the Applicant seeks this Permit to construct a pipeline to transport natural gas to its potash mining and processing facilities located at Penobsquis, New Brunswick;

**NOW THEREFORE IT IS ORDERED THAT:**

1. A Pre-Hearing conference be held at the Quality Inn, Sussex, New Brunswick on January 17, 2002, commencing at 2:00 p.m. when and where the Applicant, intervenors and other interested parties may attend and make representations, subject to paragraph 5, as to the following:
  - a. the date of the full public hearing to review the Application;
  - b. the procedure to be followed prior to and at the public hearing; and

c. any other relevant matters.

2. Notice of the date for the holding of the Pre-Hearing Conference in respect of the Application be published in the form or substantially in the form attached hereto marked "A", twice in each of the following newspapers in the language of their publication:

The Telegraph Journal      Saint John

The Kings County Record      Sussex

once on or before December 28, 2001 and a second time on or before January 11, 2002.

3. Persons intending to intervene must notify the Board and the Applicant, in writing, at the address below, no later than 12:00 noon on January 16, 2002 and:

- a. state whether the person intends to appear at the hearing and the official language in which the person intends to be heard;
- b. set out the name of the person and any authorized representative of the person and the mailing address, address for personal service, telephone number and any other telecommunications numbers of the person or the person's authorized representative;
- c. establish that the person's interest justifies intervenor status in the proceeding; and
- d. state the issues that the person intends to address at the hearing or, where the person does not intend to participate actively at the hearing, state the reasons why the person's interest justifies intervenor status in the proceeding;

Where, by reason of an inability or insufficient time to study the Application, a person is unable to include in the written intervention the information required by paragraph 3(d), the person shall provide a statement in the written intervention explaining why the person was unable or why there was insufficient time

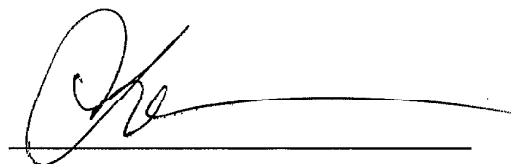
to study the Application and as soon as possible after the date of service of a copy of the Application or as soon as possible after the date of filing the written intervention, whichever is later, file with the Board and serve on the Applicant, a supplement to the written intervention containing the information required by paragraph 3(d).

4. Persons who do not wish to formally intervene but who wish to make comments to the Board regarding the proceeding must notify the Board and the Applicant, in writing, at the addresses below, on or before 12:00 noon on January 16, 2002 of their intent to file a letter of comment.

5. The Application, together with a copy of this Order, will be placed on file for examination by interested parties, during normal business hours, at the office of the Board and at the office of the Applicant, located at McCully Station Road, Penobsquis, N.B.

DATED at the City of Saint John, New Brunswick, this 21<sup>st</sup> day of December, 2001.

BY THE BOARD



Lorraine R. Légère  
Secretary  
Board of Commissioners of Public Utilities of  
New Brunswick

Board of Commissioners of Public Utilities  
of New Brunswick  
P.O. Box 5001  
15 Market Square, Suite 1400  
Saint John, N.B. E2L 4Y9  
Telephone: (506) 658-2504  
Telecopier: (506) 643-7300  
E-Mail: general@pub.nb.ca

Potash Corporation of Saskatchewan Inc.  
P.O. Box 5039  
Sussex, N.B.  
E4E 5L2  
Telephone: (506) 432-8400  
Telecopier: (506) 433-6617

**EXHIBIT "A"**

**BOARD OF COMMISSIONERS  
OF PUBLIC UTILITIES OF NEW BRUNSWICK**

IN THE MATTER of a Hearing to consider an  
Application for a Permit to Construct a Pipeline  
by the Potash Corporation of Saskatchewan Inc.

**NOTICE**

The Board of Commissioners of Public Utilities of New Brunswick (the "Board") has received an application (the "Application") from the Potash Corporation of Saskatchewan Inc. (the "Applicant") for a Permit to Construct a Pipeline pursuant to the *Gas Distribution Act, 1999*, S.N.B. 1999, c. G-2.11.

The Applicant seeks this Permit to construct a pipeline to transport natural gas to its potash mining and processing facility located at Penobsquis, New Brunswick.

**NOTICE IS HEREBY GIVEN** that the Board has ordered the following:

1. A Pre-Hearing conference will be held at the Quality Inn, Sussex, New Brunswick on January 17, 2002, commencing at 2:00 p.m. when and where the Applicant, intervenors and other interested parties may attend and make representations, subject to paragraph 4, as to the following:
  - a. the date and place of the full public hearing to review the Application;
  - b. the procedure to be followed prior to and at the public hearing; and
  - c. any other relevant matters.
2. Persons intending to intervene must notify the Board and the Applicant, in writing, at the address

below, no later than 12:00 noon on January 16, 2002 and:

- a.** state whether the person intends to appear at the hearing and the official language in which the person intends to be heard;
- b.** set out the name of the person and any authorized representative of the person and the mailing address, address for personal service, telephone number and any other telecommunications numbers of the person or the person's authorized representative;
- c.** establish that the person's interest justifies intervenor status in the proceeding; and
- d.** state the issues that the person intends to address at the hearing or, where the person does not intend to participate actively at the hearing, state the reasons why the person's interest justifies intervenor status in the proceeding;

Where, by reason of an inability or insufficient time to study the Application, a person is unable to include in the written intervention the information required by paragraph 2(d), the person shall provide a statement in the written intervention explaining why the person was unable or why there was insufficient time to study the Application and as soon as possible after the date of service of a copy of the Application or as soon as possible after the date of filing the written intervention, whichever is later, file with the Board and serve on the Applicant, a supplement to the written intervention containing the information required by paragraph 2(d).

**3.** Persons who do not wish to formally intervene but who wish to make comments to the Board regarding the proceeding must notify the Board and the Applicant, in writing, at the addresses below, on or before 12:00 noon on January 16, 2002 of their intent to file a letter of comment.

**4.** The proceedings will be governed by the following timetable:

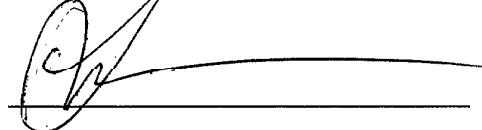
The last date to register as an Intervenor      Wednesday, January 16, 2002 at 12:00 noon

Pre-Hearing Conference	Thursday, January 17, 2002 at 2:00 p.m.
Interrogatories to the Applicant	Friday, January 18, 2002 at 4:30 p.m.
Applicant's Response to Interrogatories	Friday, January 25, 2002 at 4:30 p.m.
Intervenor Evidence filed	Friday, February 1, 2002 at 4:30 p.m.
Interrogatories served on Intervenors	Friday, February 8, 2002 at 4:30 p.m.
Intervenor's Responses to Interrogatories	Friday, February 15, 2002 at 4:30 p.m.
Proposed date for Hearing	Monday, February 18, 2002 at 10:00 a.m.

5. The Application and supporting evidence, together with a copy of the Board's hearing Order, will be placed on file for examination by interested parties, whether they intend to intervene or not, during normal business hours, at the office of the Board and at the office of the Applicant, located at McCully Station Road, Penobsquis, N.B on or before December 28, 2001.

DATED at the City of Saint John, New Brunswick, this 21<sup>st</sup> day of December, 2001.

BY THE BOARD



Lorraine R. Légère  
Secretary  
Board of Commissioners of Public Utilities of  
New Brunswick

Board of Commissioners of Public Utilities  
of New Brunswick  
P.O. Box 5001  
15 Market Square, Suite 1400  
Saint John, N.B. E2L 4Y9  
Telephone: (506) 658-2504  
Telecopier: (506) 643-7300  
E-Mail: general@pub.nb.ca

Potash Corporation of Saskatchewan Inc.  
P.O. Box 5039  
Sussex, N.B.  
E4E 5L2  
Telephone: (506) 432-8400  
Telecopier: (506) 433-6617