

## **NEW BRUNSWICK ENERGY AND UTILITIES BOARD**

**IN THE MATTER** of an Application by the Potash Corporation of Saskatchewan Inc., for a Permit to Construct a brine disposal pipeline between the PotashCorp Penobsquis Mine and the PotashCorp Cassidy Lake Mill

### **ORDER**

WHEREAS the New Brunswick Energy and Utilities Board (the “Board”) has received an application dated November 4, 2008 from Potash Corporation of Saskatchewan Inc. (“PCS”) for a Permit to Construct a Pipeline to transport brine from its potash mining and processing facilities located at Penobsquis, New Brunswick to its mill located at Cassidy Lake, New Brunswick;

#### **NOW THEREFORE IT IS ORDERED THAT:**

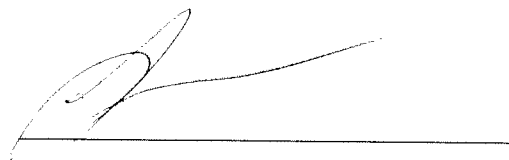
1. A Pre-Hearing conference shall be held at the Fairway Inn, 216 Roachville Road, Sussex, New Brunswick on the 8<sup>th</sup> day of December, 2008, commencing at 10:00 o’clock in the forenoon when and where the Applicant, intervenors and other interested parties should attend and make representations on the following:
  - a) the type of proceeding to consider the Application;
  - b) the procedure to be followed in respect of the proceeding; and
  - c) any other matters in respect thereto.
2. Persons intending to intervene must do so in writing, no later than November 28, 2008 by notifying the Board at the address below and the Applicant to the attention of: Mark Fracchia at PCS, 9 McCully Station Road, Penobsquis, New Brunswick, Telephone: (506) 432-8400, Telecopier: (506) 432-4619, E-Mail: [Mark.Fracchia@potashcorp.com](mailto:Mark.Fracchia@potashcorp.com); and,
  - a) State whether the person intends to appear at the pre-hearing conference and the official language in which the person wishes 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; and
  - c) Establish why the person's interest justifies intervenor status in the proceeding; and state the issues that the person intends to address in the proceeding.
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, on or before November 28, 2008.
  4. The Application and any additional information provided to the Board in support of the Application, together with a copy of this Order, be placed on file for examination by interested parties, during normal business hours, at the office of the Board in Saint John, NB, at the office of the Applicant noted in paragraph 2 above, and at the municipal office of the Town of Sussex, NB, not later than 12:00 noon on November 11, 2008; and anyone who wishes to be served with a copy of the documents filed must notify the Applicant at the address noted above in paragraph 2.
  5. Notice of the process described in paragraphs 1 through 4 shall be published in the form or substantially the form annexed hereto and marked "A" in the English language, once in each of the following newspapers on or before November 11, 2008:

The Telegraph Journal	Saint John
The Kings County Record	Sussex

DATED at the City of Saint John, New Brunswick, this 5<sup>th</sup> day of November, 2008.

BY THE BOARD

A handwritten signature in black ink, appearing to read 'Lorraine R. Légère', is written over a solid horizontal line.

Lorraine R. Légère  
Secretary  
New Brunswick Energy and Utilities Board

P.O. Box 5001  
15 Market Square, Suite 1400  
Saint John, N.B. E2L 4Y9  
Telephone: (506) 658-2504  
Telecopier: (506) 643-7300  
Website: [www.nbeub.ca](http://www.nbeub.ca)  
E-Mail: [general@nbeub.ca](mailto:general@nbeub.ca); and  
[lrlegere@nbeub.ca](mailto:lrlegere@nbeub.ca)