



ATCO Gas and Pipelines Ltd.

Yellowhead Pipeline Project – Facility Application

July 17, 2026

Alberta Utilities Commission

Decision 30422-D01-2026

ATCO Gas and Pipelines Ltd.

Yellowhead Pipeline Project – Facility Application

Proceeding 30422

Application 30422-A001

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1 Executive summary

1. In this decision, the Alberta Utilities Commission approves a facility application from ATCO Pipelines, a division of ATCO Gas and Pipelines Ltd., to construct and operate the Yellowhead Pipeline Project (Yellowhead Pipeline or the project). This includes approving the preferred route.

2. The Yellowhead Pipeline is proposed to be a 235-kilometre, 914-millimetre pipeline in west-central Alberta. The purpose of the project is to increase capacity on the Integrated Alberta System to support increasing natural gas demand in Alberta. The Commission approved the need for the Yellowhead Pipeline in Decision 29318-D01-2025.¹ The facility application focuses on the technical aspects of the Yellowhead Pipeline, acceptability of the pipeline routing and any site-specific impacts.

3. The Commission's reasons for finding that approval of the application is in the public interest, having regard to the social and economic effects of the project on the environment, are set out in detail in this decision. A summary is provided below:

- i. In relation to routing methodology, the applied-for, or preferred route has the strongest landowner support, is comparatively cost-effective and offers the most direct, technically feasible solution to meet the growing demand on the Integrated Alberta System.
- ii. The participant involvement program generally achieves the purposes of consultation and notification set out in Rule 007: *Facility Applications*.
- iii. The environmental protection plans and all referenced mitigations adequately address the identified environmental impacts caused by this project.
- iv. The duty to consult the Samson Cree Nation is triggered. Any potential infringement on Samson Cree's Aboriginal and treaty rights is expected to be low and the content of the duty in relation to the project lies no higher than the middle of the consultation spectrum. The duty to consult was fulfilled through ATCO Pipelines' engagement with Samson Cree and the Commission's regulatory process.
- v. The noise impact assessments conducted for the Yellowhead Pipeline East Control Station and the Yellowhead Pipeline Compressor Station adequately address the project noise impacts and meet the requirements set out in Rule 012: *Noise Control*.

¹ Decision 29318-D01-2025: ATCO Gas and Pipelines Ltd. – Yellowhead Mainline Project – Need Assessment Application, Proceeding 29318, Application 29318-A001, August 21, 2025.

2 Overview of the Yellowhead Pipeline Project

4. The Yellowhead Pipeline is a new pipeline project that would serve as an additional flow path on the Integrated Alberta System. The Integrated Alberta System is a natural gas transmission network in Alberta that includes assets that are owned and operated by both ATCO Pipelines and NGTL GP Ltd., as a general partner on behalf of NGTL Limited Partnership (NGTL).² The addition of the Yellowhead Pipeline would increase system capacity to meet incremental contracted and forecast demand on the Integrated Alberta System.

5. The need for the Yellowhead Pipeline was established and approved by the Commission in Decision 29318-D01-2025, where the Commission considered the general geographic location of the Yellowhead Pipeline including the sites at which it might interconnect with the Integrated Alberta System, and the characteristics of the proposed pipeline, including its size and capacity. However, the Commission made no findings on the acceptability of the pipeline routing or any site-specific impacts.

6. In this application, ATCO Pipelines sought approval to construct and operate the Yellowhead Pipeline, which includes adding the following pipeline facilities to the Integrated Alberta System:

- i. Approximately 235 kilometres of new 914-millimetre high-pressure pipeline originating in the Peers, Alberta, area and terminating in the Fort Saskatchewan, Alberta, area; more specifically, the Yellowhead Pipeline would tie into NGTL's January Creek pipeline in the northeast quarter of Section 27, Township 54, Range 14, west of the Fifth Meridian (NE-27-54-14W5M), and terminate at ATCO Pipelines' Salt Cavern transmission pipeline in the southeast quarter of Section 15, Township 55, Range 21, west of the Fourth Meridian (SE-15-55-21W4M).
 - ii. An interconnect station, designated as YP West Interconnect, at NE-27-54-14W5M to tie into NGTL's January Creek pipeline.
 - iii. A 16.4-megawatt (MW) compressor station, designated as the YP Compressor Station, at the southwest quarter of Section 34, Township 53, Range 13, west of the Fifth Meridian.
 - iv. Nine block valves at various locations along the pipeline route.
 - v. A control station, designated as YP East Control Station, at SE-15-55-21W4M to tie into ATCO Pipelines' Salt Cavern transmission pipeline.
7. The applied-for pipeline route is shown in Figure 1.

² Proceeding 29318, Exhibit 29318-X0002, ATCO Pipelines Yellowhead Mainline Need Assessment Application, PDF page 7, paragraph 2.

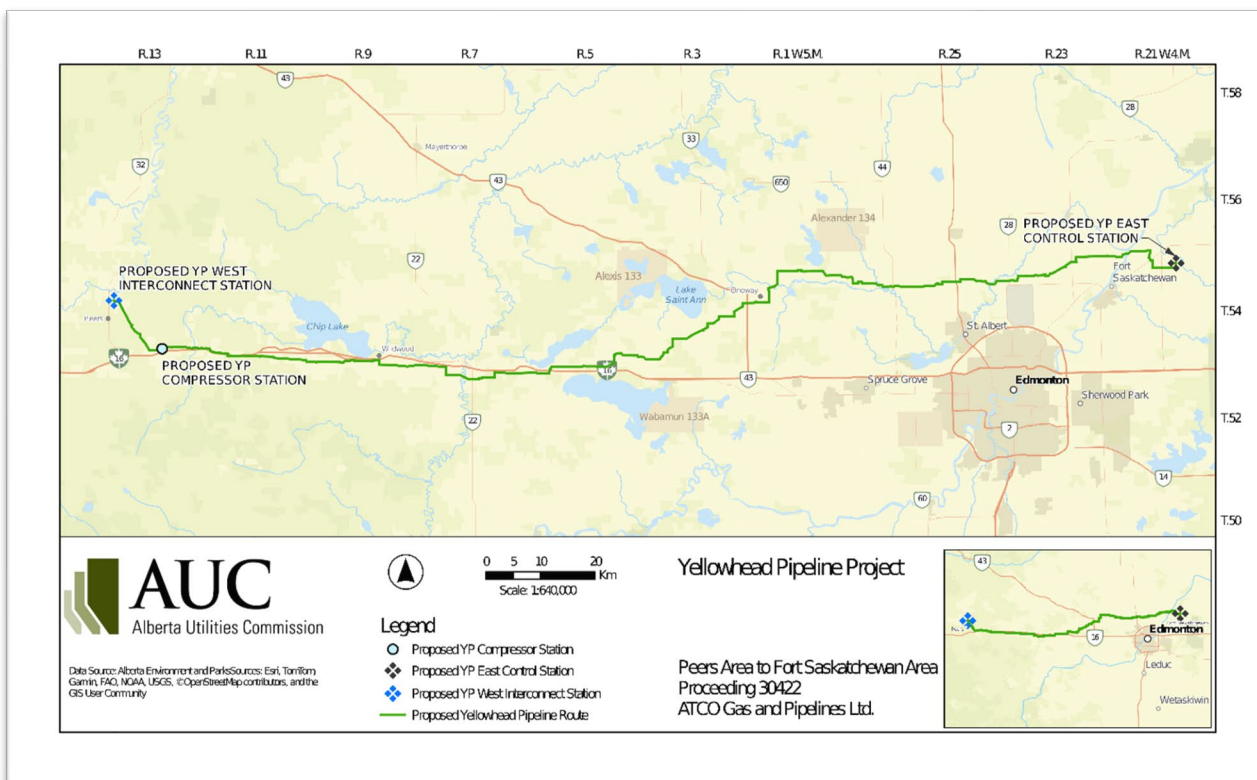


Figure 1. Yellowhead Pipeline preferred route (applied for in this application)

8. ATCO Pipelines indicated that the estimated cost of the Yellowhead Pipeline is approximately \$2.937 billion, with an accuracy range of ± 20 per cent (Class 3 estimate).
9. ATCO Pipelines stated that the Yellowhead Pipeline construction is anticipated to commence in the third quarter of 2026 and have an in-service date in the fourth quarter of 2027.
10. In addition to the economic benefits of providing pipeline access for Western Canadian natural gas producers and ensuring safe, reliable natural gas supply for Albertans and industry, ATCO Pipelines cited other public benefits³ associated with this project such as generating upstream royalties and tax revenue and creating construction jobs and career opportunities for Indigenous community members.

3 Notice and intervention

3.1 AUC notice, standing decisions and process

11. The Commission mailed 1,789 notices of application to stakeholders identified through ATCO Pipelines' participant involvement program, based on the land tract information associated with the project. Several notices were returned, after which the Commission directed

³ Exhibit 30422-X0023, Attachment B5 - Open House Materials, PDF page 3.

ATCO Pipelines to redistribute the notice to all individuals identified in the Commission's compiled returned mail list.⁴

12. On November 19, 2025, the Commission emailed a notice of application to the following 22 Indigenous communities:

Alexander First Nation	Alexis Nakota Sioux Nation
Enoch Cree Nation #440	Kehewin Cree Nation
Louis Bull Tribe	Montana First Nation
O'Chiese First Nation	Paul First Nation
Buffalo Lake Métis Settlement	Kikino Métis Settlement
Lac Ste. Anne Métis Community Association	Ermineskin Cree Nation
Samson Cree Nation	Sunchild First Nation
Asini Wachi Nation	Friends of Michel Society
Stoney Nakoda – Bearspaw First Nation	Stoney Nakoda – Chiniki First Nation
Stoney Nakoda – Goodstoney First Nation	Saddle Lake Cree Nation
Fishing Lake Métis Settlement	Whitefish (Goodfish) Lake First Nation #128

13. The Commission received statements of intent to participate (SIPs) from seven landowners, Samson Cree, Louis Bull Tribe, Whitefish (Goodfish) Lake First Nation #128, the Office of the Utilities Consumer Advocate (UCA), Trans Mountain Corporation, NGTL and the Canadian Association of Petroleum Producers (CAPP). NGTL and CAPP filed SIPs in support of the project. The Commission granted standing to all seven landowners, Samson Cree, Louis Bull Tribe, Whitefish (Goodfish) Lake First Nation #128 and Trans Mountain Corporation, and granted participation rights to the UCA and NGTL.

14. The Papaschase First Nation Band 136 Association also filed a late SIP but was denied standing for reasons described in the Commission's standing ruling.⁵ However, the Commission did permit the Papaschase First Nation Band 136 Association to file a letter of comment in the proceeding. They did not do so.

15. On January 27, 2026, the Commission provided a notice of hearing to the 22 Indigenous groups and all participants who were granted standing.

16. The process established by the Commission to consider the application included information requests and responses, written evidence and reply evidence, an oral Indigenous knowledge session, and a virtual oral hearing from May 12, 2026, to May 14, 2026, which included argument and reply argument.

⁴ Exhibit 30422-X0087, AUC letter - Complete line list update and returned mail.

⁵ Exhibit 30422-X0193, AUC letter - Ruling on standing for Papaschase First Nation Band 136 Association.

3.2 Intervention

17. None of the landowners, CAPP or NGTL participated in the proceeding after submitting their SIPs. Trans Mountain Corporation withdrew its SIP during the proceeding.

18. Whitefish (Goodfish) Lake First Nation #128 and Louis Bull Tribe also withdrew their SIPs during the proceeding. The Commission understands this to mean that the concerns articulated in their respective SIPs have been addressed to their satisfaction, and that they are no longer requesting or relying on the Commission to address those concerns. The Commission respects the ability of First Nations to determine for themselves that their concerns have been adequately addressed by the applicant.

19. Only the Samson Cree and the UCA participated in the virtual oral hearing and provided argument.

20. Samson Cree is a signatory to Treaty 6 and asserted that the project would impact their members' ability to exercise rights in the project area.⁶

21. The UCA did not argue that the Yellowhead Pipeline should be denied and did not request any specific relief. Rather, it submitted that its goal was to draw attention to the cost consequences of certain ATCO Pipelines decisions regarding the project, which could be helpful to the Commission in a future ATCO Pipelines rate application concerning the project.⁷

4 The Commission's role in assessing gas utility pipeline applications

22. The Commission regulates gas utility pipelines in Alberta. A gas utility, such as ATCO Pipelines, must obtain several different approvals from the AUC to construct and operate a new gas utility pipeline. Three approvals are discussed below.

23. The gas utility must demonstrate, as a threshold matter, that the pipeline is needed. The Commission found that ATCO Pipelines justified the need for the Yellowhead Pipeline and approved the need application in Decision 29318-D01-2025. In that decision, the Commission agreed that the project is necessary to address incremental contracted and forecast natural gas demand on the Integrated Alberta System which, if not addressed, would result in a delivery capacity shortfall.

24. The gas utility must also obtain approval to construct and operate the new pipeline through a facility application. The facility application focuses on the site-specific impacts of the project. ATCO Pipelines filed its facility application under Section 4.1 of the *Gas Utilities Act* and Part 4 of the *Pipeline Act*. Under Section 17(1) of the *Alberta Utilities Commission Act*, where the Commission conducts a hearing or other proceeding on an application to construct or operate a gas utility pipeline under the *Gas Utilities Act*, it shall, in addition to any other matters it may or must consider in conducting the hearing or other proceeding, give consideration to whether construction or operation of the gas utility pipeline is in the public interest, having

⁶ Exhibit 30422-X0079, Proceeding 30422 - Yellowhead Pipeline - Samson Cree Nation Statement of intent to participate.

⁷ Transcript, Volume 3, pages 274 and 279.

regard to the social and economic effects of the pipeline and the effects of the pipeline on the environment.

25. Conducting a public interest assessment requires the Commission to assess and balance the competing elements of the public interest in the context of each specific application before it. Part of this exercise is an analysis of the nature of the impacts associated with a particular project, and the degree to which the applicant has addressed these impacts. This includes consideration of the positive and adverse impacts of the project on those nearby, such as landowners, or on local objectives. Balanced against this is an assessment of the project's potential public benefits.

26. The Commission has previously affirmed that the public interest will be largely met if an application complies with existing regulatory standards, and the project's public benefits outweigh its negative impacts.

5 Discussion and findings

27. The Commission has reviewed the application and has determined that the information requirements specified in Rule 007 and Rule 012 have been met.

28. In the following sections, the Commission assesses whether approval of the facility application is in the public interest, having regard for the social and economic effects of the project and its effects on the environment.

29. The Commission begins by discussing the routing process ATCO Pipelines used to select the preferred route. The Commission sets out its reasons for finding that the process for selecting the preferred route is reasonable and that it is superior to the other route options considered. In particular, the preferred route has greater support from stakeholders and Indigenous communities, comparatively lower environmental impacts, particularly due to its alignment with existing linear disturbances, and more favourable technical, constructability and operational considerations.

30. The Commission next considers the adequacy of ATCO Pipelines' participant involvement program. This section discusses the stakeholder engagement activities undertaken to identify project-related concerns and describes how ATCO Pipelines attempted to address and resolve those concerns, including by continuing to work with directly affected landowners to mitigate and resolve outstanding issues following the filing of the application.

31. The Commission then assesses the environmental impacts of the project, and whether these effects are acceptable taking into consideration the mitigations proposed by ATCO Pipelines.

32. The Commission continues with a discussion of the project's potential effects on Aboriginal and treaty rights. In this section, the Commission discusses the consultation with Indigenous communities that took place in relation to the project and finds that this consultation was adequate.

33. The Commission also assesses the noise impacts of the project, and whether these impacts are acceptable, taking into consideration the mitigations proposed by ATCO Pipelines.

34. Finally, the Commission concludes by setting out why approval of the project along the preferred route is in the public interest, having regard to the social and economic effects of the project and its effects on the environment.

5.1 Did ATCO Pipelines' route selection process yield the most suitable route?

35. In this section, the Commission discusses ATCO Pipelines' route selection process and finds that the preferred route is reasonable, appropriately justified, and represents the most suitable option for the project.

36. As part of the Commission's public interest assessment, the Commission must consider how ATCO Pipelines arrived at its applied-for route, which involves an examination of its routing methodology. This assessment includes consideration of the factors used to identify different routes and the criteria used to evaluate them and ultimately select a preferred route. Stakeholder and Indigenous community support, environmental impacts, cost, technical complexity and constructability, and operational considerations are all taken into account.

37. ATCO Pipelines explained that its route selection process progressed through five stages in sequence:

1. project need assessment,
2. route generation within the corridor,
3. route evaluation and preliminary route identification,
4. assessment of the preliminary route, and
5. refinement and confirmation of the preferred route.

38. In relation to Stage 1, the Commission previously found that ATCO Pipelines had justified the need for the Yellowhead Pipeline and that Alternative 4.3, a new flow corridor from the NGTL January Creek pipeline to the Greater Edmonton Area, was the best solution to meet the need from a technical and economic perspective.⁸

39. In the following sections, the Commission assesses stages 2 through 5 of ATCO Pipelines' route selection process. The Commission also addresses the UCA's concerns regarding the estimated costs of the project and the lack of an applied-for alternative route.

5.1.1 Did ATCO Pipelines consider appropriate factors when developing initial routes?

40. Stage 2 of ATCO Pipelines' route selection process involved defining the study area (a new flow corridor) and identifying potential route segments and route options within that area. ATCO Pipelines explained that its assessment at this stage was based on the following factors:⁹

- i. The avoidance of environmentally sensitive areas.
- ii. The avoidance of areas which may present significant construction difficulties or the potential for long-term, on-going maintenance or remedial work.

⁸ Decision 29318-D01-2025: ATCO Gas and Pipelines Ltd. - Yellowhead Mainline Project – Need Assessment Application, Proceeding 29318, Application 29318-A001, August 21, 2025, Section 6.

⁹ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 22, paragraph 18.

- iii. The parallelling of existing linear infrastructure and other linear features such as utility corridors, roadways, railways and property lines.
- iv. The overall length of the pipeline and associated construction costs.
- v. A relatively direct path between required connection points.

41. Based on these factors, ATCO Pipelines developed initial routing options, as illustrated in Figure 2.

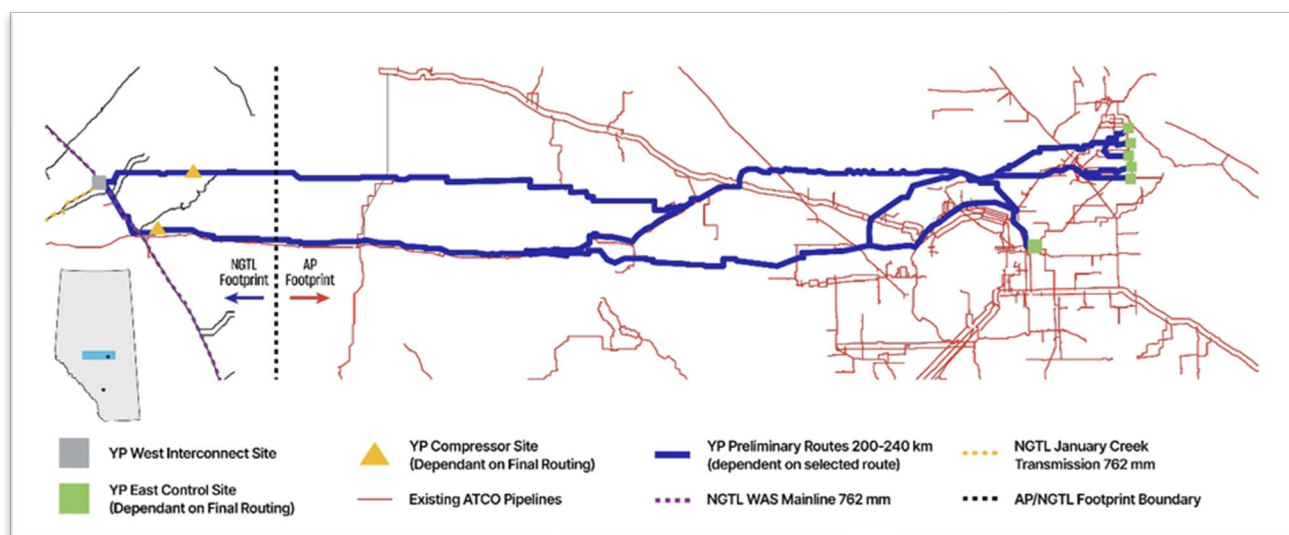


Figure 2. Route options for the Yellowhead Pipeline¹⁰

42. The Commission finds these general factors acceptable for identifying potential route segments and subsequent routing options, as ATCO Pipelines sought to reduce environmental impacts by avoiding sensitive areas and siting next to existing linear disturbances. The Commission also finds that routing the pipeline along a direct path between connection points is a practical approach that helps minimize overall route length and project costs.

5.1.2 Was ATCO Pipelines' evaluation of routing options sufficient to reasonably identify the preliminary preferred route?

43. During Stage 3 of its route selection process, ATCO Pipelines assessed the routing options and selected a preliminary preferred route. The Commission finds that ATCO Pipelines' process to identify a preliminary preferred route was a comprehensive, multi-criteria evaluation that appropriately balanced project cost, feedback received from interested persons and Indigenous communities, environmental impacts, technical complexity and constructability, and operational factors.

¹⁰ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 23, Figure 4.

5.1.2.1 Routing evaluation

44. After identifying initial route options, ATCO Pipelines engaged a team of consultants¹¹ to conduct desktop assessments of these routes using evaluation criteria developed collaboratively by ATCO Pipelines and the professional team. The criteria considered stakeholder and Indigenous community support, environmental impacts, cost, technical complexity and constructability, and operational factors. The objective of conducting the desktop assessments was to identify and potentially eliminate less viable routing options prior to conducting any field work.¹²

45. The Commission finds that the evaluation criteria used by ATCO Pipelines to conduct desktop assessments are reasonable and practical, as they considered multiple elements and enabled ATCO Pipelines to effectively assess and compare feasible route options, while eliminating unfeasible options early, prior to undertaking field assessment work.

46. The desktop assessments yielded seven potential route segments creating nine potential routes for the project. The seven identified segments were grouped into three geographic areas – west, central and east – as listed below and illustrated in Figure 3:

- two western segments, known as West 1 (orange) and West 2 (green);
- two central segments, known as Central 1 (purple) and Central 2 (white¹³); and
- three primary eastern segments, known as East 1 (red), East 2 (yellow) and East 3 (blue).

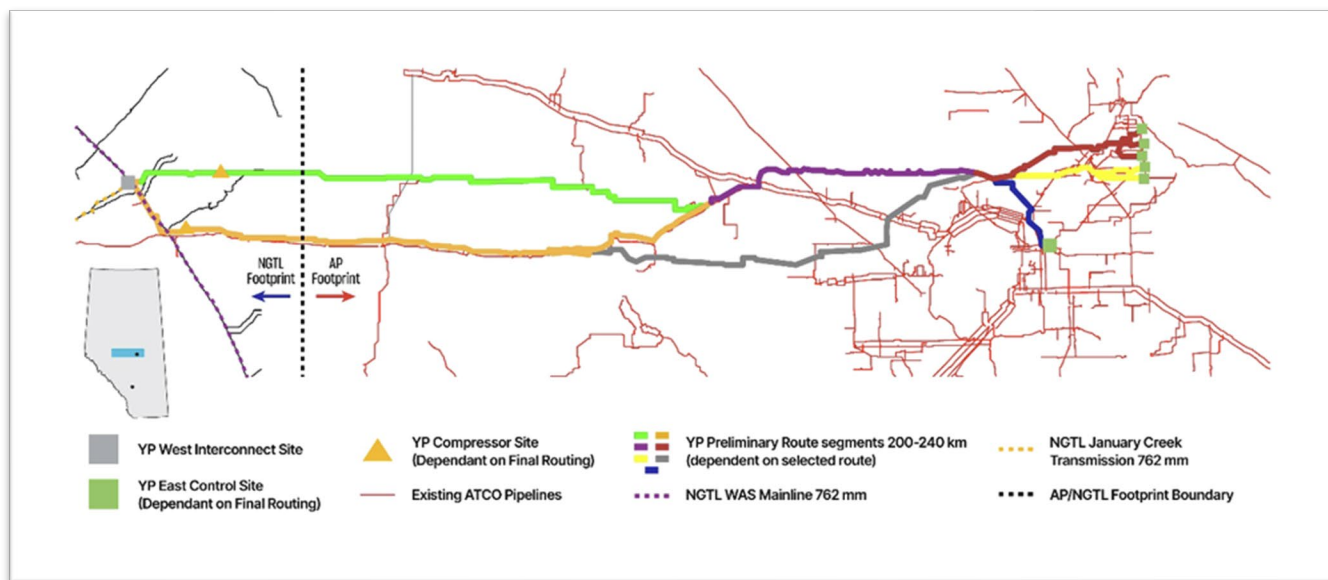


Figure 3. Yellowhead Pipeline seven potential viable segments map¹⁴

¹¹ ATCO Pipelines engaged with Progress Land Services Ltd., Canadian Resource Valuation Group Inc., Jacobs Consultancy Canada Inc., Thurber Engineering Ltd. and ILF Consulting Engineers.

¹² Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 24, paragraph 21.

¹³ ATCO Pipelines originally called this the white segment but for illustrative purposes it has been highlighted in grey in Figure 3.

¹⁴ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 25, Figure 5.

47. ATCO Pipelines indicated that, at this stage, it had defined key attributes¹⁵ for each potential route but needed to incorporate actual stakeholder and Indigenous community support data to perform an initial evaluation of the nine potential routes. ATCO Pipelines stated that this initial evaluation allowed it to identify the more favourable routes before proceeding with further analysis.¹⁶ The results of the initial evaluation of the nine routes, including consideration of actual stakeholder and Indigenous community support data, are summarized in Figure 4.

Route No.	Route Options (Segment Combination)			Cost		Stakeholder Support		Environmental Impact		Technical Complexity & Constructability		Operational Considerations		Total Weighted Score
				25%	25%	25%	25%	25%	25%	20%	20%	5%	5%	
1	West	1-Central	2-East	3	7.0	4.8		6.7		5.9		8.5		6.2
	(Orange-White-Blue)													
2	West	1-Central	1-East	3	9.3	7.0		7.1		7.0		7.0		7.6
	(Orange-Purple-Blue)													
3	West	2-Central	1-East	3	10.0	5.7		5.3		6.0		3.5		6.6
	(Green-Purple-Blue)													
4	West	1-Central	2-East	2	6.6	4.9		5.9		7.1		7.5		6.1
	(Orange-White-Yellow)													
5	West	1-Central	1-East	2	9.0	6.7		6.5		8.2		6.0		7.5
	(Orange-Purple-Yellow)													
6	West	2-Central	1-East	2	9.6	5.7		5.0		7.1		3.0		6.6
	(Green-Purple-Yellow)													
7	West	1-Central	2-East	1	6.1	4.9		6.3		7.2		7.5		6.1
	(Orange-White-Red)													
8	West	1-Central	1-East	1	8.5	6.8		6.1		8.2		6.5		7.3
	(Orange-Purple-Red)													
9	West	2-Central	1-East	1	9.2	5.9		4.9		7.4		3.0		6.6
	(Green-Purple-Red)													

Figure 4. Initial results for routes based on the desktop evaluation and updated stakeholder support data¹⁷

48. ATCO Pipelines developed a weighted scoring system to benchmark the nine potential routes. It was determined that each evaluation criterion (shown in Figure 4) was of equal importance and should be weighed evenly, except for two. Accordingly, each criterion was assigned 25 per cent weight, except technical complexity and constructability, which was assigned 20 per cent, and operational considerations, which was assigned five per cent.¹⁸

¹⁵ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 28, Table 6.

¹⁶ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 29, paragraphs 35-38.

¹⁷ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 30, Table 7.

¹⁸ Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF page 7, IR Response (a).

Notably, ATCO Pipelines expressly included Indigenous communities and traditional land use as part of the stakeholder support category.¹⁹

49. Then, more detailed factors were established and considered for each criterion and each route option was assigned a score out of 10 based on the information from desktop assessments, with 10 being the most favourable score.²⁰ Finally, each route's overall score was calculated by multiplying the criterion weightings by the individual criterion scores and summing the results. The higher the total weighted score, the more favourable the route option.

50. While the UCA raised concerns surrounding the criteria weightings and rationale used by ATCO Pipelines,²¹ the Commission accepts that, following the identification of feasible segments through desktop assessments and the incorporation of input from affected parties, ATCO Pipelines and its consultants applied a routing methodology that included a structured scoring system to evaluate and compare the nine potential pipeline routes. This methodology incorporated a balanced weighting approach. The Commission finds this approach to be fair and reasonable and the weightings appropriate, as each category represents a significant and relevant factor in the overall route evaluation.

5.1.2.2 Comparative analysis of western, central and eastern pipeline route segments

51. The Commission now discusses and assesses the comparative analysis undertaken on the western, central and eastern pipeline route segments as part of, and contributing to, ATCO Pipelines' Stage 3 route selection process.

52. The Commission finds that ATCO Pipelines applied a reasonable comparative evaluation and selection process to identify the superior pipeline segment within each geographic group. This included more detailed analyses to identify which of the eastern segments was superior because the eastern segments received similar initial scores.

5.1.2.3 Western segment selection

53. ATCO Pipelines identified two potential segments for the western part of the pipeline route, West 1 (orange) and West 2 (green). West 1 was identified by ATCO Pipelines as the preferred segment after consideration of stakeholder and Indigenous community support, environmental impacts, technical complexity and constructability, and operational flexibility. ATCO Pipelines explained that a key factor in selecting West 1 was its substantial alignment with existing facilities and linear disturbances.²² ATCO Pipelines indicated that although West 2 is shorter, cheaper and more direct, it would traverse largely undisturbed greenfield areas, which posed greater stakeholder and environmental impacts, as well as technical complexity and constructability, and operational flexibility concerns.²³

54. The UCA questioned whether ATCO Pipelines was justified in selecting West 1, which is longer and has a higher cost, over the shorter, more cost-effective West 2. The UCA estimated the incremental cost of choosing West 1 over West 2 to be between \$40 million and \$57 million

¹⁹ Exhibit 30422-X0145, ATCO-UCA-2026FEB6-003(b) Attachment 2, PDF page 16, Table 4.

²⁰ Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF page 7, IR Response (b).

²¹ Transcript, Volume 3, page 283, lines 1-13.

²² Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 30, paragraph 40.

²³ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 13, paragraph 28.

and questioned whether the benefits in other categories were sufficient to justify this additional cost.²⁴

55. The Commission finds that ATCO Pipelines has demonstrated that West 1 is superior, as routing alongside existing facilities and linear disturbances is preferable to new disturbance for this project. The Commission accepts that the higher costs of West 1 are justified by its stronger stakeholder support, environmental considerations, technical complexity and constructability, and operational flexibility. While West 2 is less costly due to its shorter length and would achieve higher construction productivity because of reduced congestion, cost is not the sole criterion used to evaluate route segments. West 2 would require substantial access road upgrades and new access development in greenfield areas with limited existing infrastructure. It would also result in greater environmental risk because it would require development through previously undisturbed areas, increasing impacts on water crossings, waterbodies and important wildlife habitat. In addition, it received less stakeholder support and would affect a larger area of Crown land associated with traditional land use by Indigenous communities.

5.1.2.4 Central segment selection

56. ATCO Pipelines identified two potential segments for the central part of the pipeline route, Central 1 (purple) and Central 2 (white). Central 1 was identified by ATCO Pipelines as the preferred central segment after consideration of stakeholder support, environmental impacts, technical complexity and constructability, and operational flexibility. In contrast to Central 1, the Central 2 segment traverses lands within the city of St. Albert designated for future development, and its impact on the City of St. Albert's long-term growth plans was the primary reason for eliminating it from further consideration.²⁵ Central 2 is also located in close proximity to residences within rural subdivisions with no reasonable options to route around the area.

57. The UCA did not raise any concerns with ATCO Pipelines' selection of Central 1 as the preferred central segment.

58. The Commission finds that ATCO Pipelines has demonstrated that Central 1 is superior to Central 2. The Commission notes that Central 2 was primarily eliminated due to its incompatibility with the City of St. Albert's long-term growth plans. It also observes that landowners were significantly less receptive to Central 2, as reflected in higher survey consent refusal rates. Additionally, the Commission agrees with ATCO Pipelines that in general, transmission pipeline routing should avoid close proximity to residences. The Commission accepts that Central 1 is more favourable from cost, stakeholder support, environmental impacts, technical complexity and constructability, and operational perspectives.

5.1.2.5 Eastern segment selection

59. ATCO Pipelines identified three potential segments for the eastern part of the pipeline route, East 1 (red), East 2 (yellow) and East 3 (blue). Following its comparison of the eastern segments and subsequent detailed analyses, ATCO Pipelines determined that East 1 was the preferred segment.

60. ATCO Pipelines indicated that the eastern segments follow different alignments primarily due to limited feasible crossings of the North Saskatchewan River needed to connect to the

²⁴ Exhibit 30422-X0182, Evidence of the UCA - 30422, PDF pages 21 and 22, A17.

²⁵ Exhibit 30422-X0139, AP Round 2 Information Responses to AUC, PDF pages 1-2, Response (a).

existing ATCO Pipelines Inland system.²⁶ ATCO Pipelines stated that, following the desktop assessments, all three eastern segments received similar scores. As a result, ATCO Pipelines conducted two additional analyses to further differentiate the eastern segments and identify the preferred segment: an analysis of eastern tie-in locations²⁷ and an east segment constraints analysis.²⁸

61. Upon completion of the eastern tie-in analysis, ATCO Pipelines removed East 3 (blue) from further consideration due to significant complexity and constructability challenges. More specifically, this segment would enter the transportation and utility corridor on the west side of Edmonton where space for pipeline development is constrained.²⁹ This route would also be located next to densely populated residential communities and would require a 25-kilometre line looping upgrade to meet the forecast demand, which would result in an incremental cost of approximately \$181 million.³⁰

62. ATCO Pipelines did not further refine costs or develop looping estimates for East 3, as it considered that this would not add value or change its overall inferiority. ATCO Pipelines stated that it concentrated its detailed cost refinement on routes that were reasonably practicable and constructible.³¹

63. The UCA questioned ATCO Pipelines' decision to exclude the cost of the East 3 line looping from its cost ranking.³² The Commission accepts that the early elimination of East 3 was justified, as it is located adjacent to densely populated residential areas and would traverse the Edmonton transportation and utility corridor, where ATCO Pipelines indicated that space for pipeline development is limited. The Commission agrees with ATCO Pipelines that further refining cost estimates or developing looping estimates for East 3 would not provide additional value or alter the East 3 option's overall inferiority.

64. For the two remaining eastern segments, East 1 and East 2, which scored identically in the initial desktop assessments, ATCO Pipelines stated that it conducted an east segment constraints analysis focused on evaluating the two segments based on:³³

- landholder feedback, routing validity and refinement potential, and detailed alignment feasibility;
- east tie-in site considerations coupled with landholder support for each tie-in location; and
- system hydraulic benefits.

²⁶ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 26, paragraph 30.

²⁷ Exhibit 30422-X0147, ATCO-UCA-2026FEB6-003(b) Attachment 4.

²⁸ Exhibit 30422-X0149, ATCO-UCA-2026FEB6-003(b) Attachment 6.

²⁹ Exhibit 30422-X0143, AP Round 2 Information Responses to UCA, PDF page 4, responses (a-b).

³⁰ Exhibit 30422-X0143, AP Round 2 Information Responses to UCA, PDF page 6, response (c), and PDF page 13, response (b).

³¹ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 17, paragraphs 38-40.

³² Exhibit 30422-X0182, Evidence of the UCA - 30422, PDF pages 24-25, A21.

³³ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF pages 33-34, paragraph 53.

65. From the two detailed analyses conducted, ATCO Pipelines indicated that East 1 scored higher than East 2 in all categories except cost, reflecting its greater length compared to East 2.³⁴ More specifically, East 1 had stronger stakeholder support, lower alignment risk, closer proximity to industrial demand and fewer technical challenges compared to East 2.³⁵ ATCO Pipelines indicated that the technical challenges associated with East 2 involved constructing a pipeline through a heavily congested area.³⁶ Furthermore, ATCO Pipelines confirmed that the YP East Control Station sites were more favourable for East 1 than for East 2.³⁷

66. The UCA raised concerns around whether ATCO Pipelines was justified in selecting the longer, higher-cost East 1 over the shorter, more cost-effective East 2. The Commission finds, however, that ATCO Pipelines has established that East 1 is superior to East 2. The Commission accepts that from all the assessments completed, including the subsequent detailed analyses, East 1 scored higher than East 2 in all categories except for cost. The Commission considers the additional cost to be justified given its greater stakeholder and Indigenous community support, closer proximity to industrial demand, more favourable YP East Control Station locations, and reduced technical complexity.

5.1.2.6 Preliminary preferred route selection

67. Based on the overall route selection process described above, the preliminary preferred route selected by ATCO Pipelines was West 1 (orange) – Central 1 (purple) – East 1 (red), as illustrated in a uniform blue line in Figure 5.

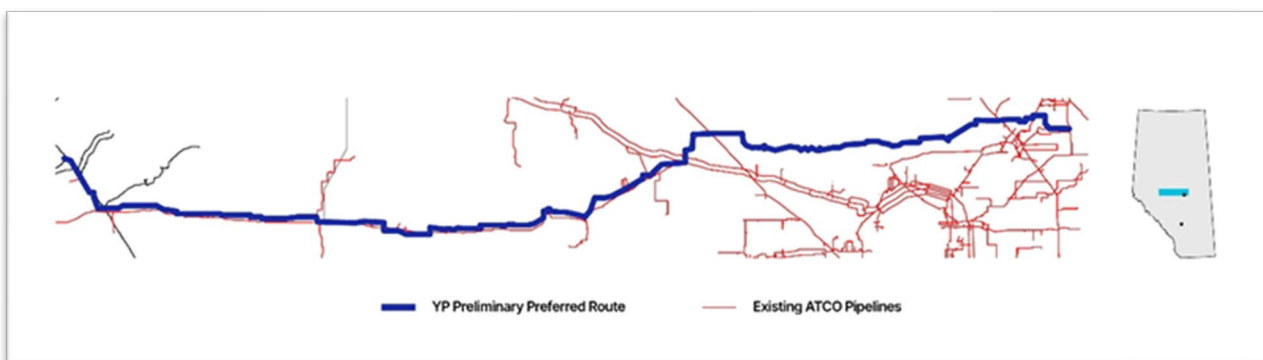


Figure 5. Preliminary preferred route³⁸

68. ATCO Pipelines confirmed that the preliminary preferred route would connect to NGTL's January Creek pipeline near Peers, Alberta and terminate at the tie-in point with ATCO Pipelines Salt Cavern transmission pipeline, located near Fort Saskatchewan, Alberta in the Industrial Heartland Area.³⁹

³⁴ Transcript, Volume 3, page 243, lines 17-18.

³⁵ Transcript, Volume 3, page 243, lines 17-23.

³⁶ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF pages 15 and 16, paragraphs 33 and 34.

³⁷ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 15, paragraph 32.

³⁸ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 35, Figure 6.

³⁹ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 35, paragraph 58.

69. The Commission finds ATCO Pipelines' preliminary preferred route, West 1 – Central 1 – East 1 to be superior to the other route options considered for the reasons set out above based on the balanced-weight routing methodology, comparative analysis and detailed studies conducted. Through its comparative analysis of the western, central and eastern pipeline route segments, ATCO Pipelines identified the superior segment within each group and combined these segments to form the preliminary preferred route.

5.1.3 Did ATCO Pipelines reasonably assess and refine the preliminary preferred route to determine the final preferred route?

70. In this section, the Commission considers stages 4 and 5 of ATCO Pipelines' route selection process which involved assessing the preliminary preferred route and further refining it to determine the final preferred route. For the reasons that follow, the Commission finds ATCO Pipelines' process to refine and confirm the preferred route, comprised of the West 1 (orange) – Central 1 (purple) – East 1 (red) route segments, to be reasonable. The Commission accepts that ATCO Pipelines' preferred route was identified through the route selection process described above and subsequently refined through an iterative and collaborative process, including ongoing engagement with affected parties. These refinements resulted in a final preferred route, which corresponds to the applied-for route in this application.

71. Following its selection of the preliminary preferred route, ATCO Pipelines conducted field studies to refine and optimize the pipeline alignment across each affected land parcel. These studies specifically considered technical requirements, such as watercourse, highway and rail crossings, as well as site-specific land features, such as wetlands. While the applied-for route remains West 1 – Central 1 – East 1 at a macro level, subsequent engagement with affected parties led to numerous minor adjustments within these segments, which collectively resulted in the final preferred, or applied-for, route.⁴⁰

72. For example, in response to proximity concerns raised by stakeholders, ATCO Pipelines adjusted the alignment by moving the pipeline a few metres farther from affected parties, resulting in an additional approximately nine kilometres of pipeline length.⁴¹ ATCO Pipelines explained that route selection is a progressive, iterative process that involves ongoing adjustments and refinements to the pipeline alignment, particularly as additional information related to engineering, constructability and land use becomes available.⁴²

73. The Commission agrees that pipeline routing is an iterative process in which the preferred route is continuously re-evaluated and refined as new information becomes available. This includes incorporating additional input from field studies and landowner engagement, which informs further refinements to the preferred route. The Commission finds that this iterative and responsive approach results in a more robust and well-supported route across all criteria considered. Accordingly, the Commission finds that ATCO Pipelines' final preferred route, West 1 – Central 1 – East 1, is reasonable and superior when considering cost, stakeholder and Indigenous community input, environmental impacts, technical complexity and constructability, and operational factors.

⁴⁰ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 36, paragraphs 61 and 62.

⁴¹ Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF page 3, response (a).

⁴² Transcript, Volume 1, page 43, lines 11-17.

5.1.4 Should ATCO Pipelines have provided an alternative route?

74. The UCA raised concerns regarding the Commission's discretion to deviate from approving the preferred route, noting that regardless of its merits, the Commission is unable to assess routes other than the preferred route without causing significant time and cost implications.⁴³ ATCO Pipelines confirmed, through an information response to the UCA, that the time and cost implications of pursuing an alternative route at this stage would be a 24-month delay and an incremental cost incurred of approximately \$356 million.⁴⁴

75. ATCO Pipelines indicated that the selection of a single preferred route does not diminish the Commission's discretion to assess alternatives but rather reflects ATCO Pipelines' responsibility to present a proposal that is justified and well supported based on the route selection criteria used.⁴⁵ ATCO Pipelines explained that the superiority of the preferred route is evidenced by strong support from affected municipalities, a high rate of non-objection among directly affected landowners, and limited landowner participation in this proceeding.⁴⁶

76. ATCO Pipelines stated that advancing a route it considers inferior solely to provide the Commission with an alternative for review would be inappropriate, as it would lead to regulatory inefficiencies, longer timelines and increased costs due to the need to consult a new set of landowners. Furthermore, ATCO Pipelines submitted that its evidence is the only evidence on the record that analyzes and supports the preferred route, noting that the UCA neither proposed an alternative route nor provided any analysis demonstrating the feasibility of an alternative.⁴⁷

77. It is ultimately up to a project proponent to decide whether to apply for multiple routing alternatives based on the specific circumstances in any given project area. Where a proponent decides to pursue a single routing alternative, the onus rests on the proponent to demonstrate that approval of the proposed route is in the public interest and to provide adequate rationale for its elimination of other potential routes.⁴⁸ In the present circumstances, ATCO Pipelines' evidence clearly sets out a number of options that it investigated but decided not to pursue because it determined its preferred route to be superior to those options. In supporting its choice of preferred route, ATCO Pipelines provided significant information about the process it used to identify segments and the factors and weightings it established to assess, score and benchmark each segment and ultimately eliminate route options. The Commission finds that ATCO Pipelines included sufficient information in its application to allow interveners and the Commission to understand the options investigated and the rationale for their exclusion.

5.1.5 What is the estimated cost of ATCO Pipelines' preferred route?

78. ATCO Pipelines submitted that the \$2.8 billion (± 30 per cent) project cost presented in Proceeding 29318, being the need application, was a Class 4 estimate, developed using preliminary assumptions relating to pipeline length, compression requirements, and land values

⁴³ Transcript, Volume 1, page 42, lines 13-19.

⁴⁴ Transcript, Volume 1, page 42, lines 2-10.

⁴⁵ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 5, paragraph 4.

⁴⁶ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 5, paragraph 5.

⁴⁷ Transcript, Volume 3, page 252, lines 12-23.

⁴⁸ Decision 24827-D01-2020: ATCO Gas and Pipelines Ltd. – Northwest Calgary Connector Pipeline Project, Proceeding 24827, Application 24827-A001, April 1, 2020, paragraph 85.

that were considered appropriate at that time. In this facility application, ATCO Pipelines updated the project cost to \$2.937 billion (± 20 per cent) based on a Class 3 estimate.

79. ATCO Pipelines confirmed that project costs increased by 4.4 per cent (approximately \$124 million) relative to the Class 4 estimate. It attributed the increase primarily to further scope definition and refinement of pipeline construction costs, including a nine-kilometre increase in pipeline length resulting from ongoing route assessment and refinement, as well as updates to construction estimates, material costs, land values and facility requirements.⁴⁹

80. In its evidence, the UCA stated that while the least-cost route was not selected as the preferred route, it should still serve as a baseline for comparing other routes.⁵⁰ The UCA raised this concern with ATCO Pipelines' selection of the higher-cost West 1 and East 1 segments over lower-cost alternatives, West 2 and East 2. The UCA also submitted that information asymmetry exists as the UCA does not have access to ATCO Pipelines' underlying data, including detailed project cost estimates, thus making it challenging to understand the cost breakdown.⁵¹

81. The UCA also raised concerns, based on its own calculations, about what it considered excessive landowner compensation, citing \$73.8 million for the YP Compressor Station site,⁵² and over \$1 million to a party indirectly affected by the project.⁵³

82. ATCO Pipelines responded by explaining that it used a structured, multi-criteria route selection process that considered stakeholder, environmental, technical, operational and cost factors, rather than cost alone.⁵⁴ ATCO Pipelines indicated that its approach is more reliable than relying solely on costs, and emphasized that lower-cost segments may reduce overall viability and increase total project costs.⁵⁵ Furthermore, ATCO Pipelines noted that the UCA's own evidence acknowledges that the lowest cost route is not always the best alternative.⁵⁶

83. On information asymmetry, ATCO Pipelines stated that the UCA did not make use of the Commission process of information requests and the hearing process to address any gaps.⁵⁷ ATCO Pipelines stated that challenges to its cost estimates should not rely on unverified assumptions, particularly where the UCA had the opportunity to clarify information through the Commission's information request process.⁵⁸

84. And on landowner compensation, ATCO Pipelines responded that over 99.8 per cent of the approximately \$188 million land-related costs are attributed to securing the project right-of-way, while only 0.2 per cent, or approximately \$400,000, is attributed to the compressor station site.⁵⁹ ATCO Pipelines also stated that the UCA conflated approximately \$1 million in

⁴⁹ Transcript, Volume 3, page 245, lines 14-23.

⁵⁰ Exhibit 30422-X0182, Evidence of the UCA - 30422, PDF page 19, A14.

⁵¹ Exhibit 30422-X0182, Evidence of the UCA - 30422, PDF page 7, A10 and PDF page 9, A12.

⁵² Exhibit 30422-X0182, Evidence of the UCA - 30422, PDF page 17, A13.

⁵³ Exhibit 30422-X0182, Evidence of the UCA - 30422, PDF page 19, A13.

⁵⁴ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 13, paragraph 27.

⁵⁵ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 13, paragraph 27.

⁵⁶ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 13, paragraph 27.

⁵⁷ Transcript, Volume 3, page 247, lines 22-25; page 248, lines 1-3.

⁵⁸ Transcript, Volume 3, page 338, lines 14-22.

⁵⁹ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 7, paragraph 11.

rerouting costs with direct landowner payments, confirming that no such payments have been made to individual landowners.⁶⁰

85. Consistent with its findings on the routing options set out above, the Commission's consideration of the public interest does not require approval of the lowest cost alternative. Cost is certainly one of the factors in the Commission's assessment of the route selection process in this decision, but the public interest test is multi-faceted and requires a balancing of several factors. Neither the UCA's evidence with respect to lower cost route segment alternatives, nor with respect to landowner compensation has persuaded the Commission to alter its findings on the route selection set out above.

86. On the issue of information asymmetry, the Commission underscores that interveners in this proceeding had the ability to submit information requests throughout the process to obtain further information about the costs and cost breakdown of the project. While the Commission acknowledges the UCA's evidence that certain issues may not be evident at the outset, the procedural framework provided multiple opportunities to obtain information from ATCO Pipelines which therefore mitigates such asymmetries. Ultimately, the onus is on ATCO Pipelines to demonstrate that the project is in the public interest.

87. The Commission recognizes interveners' concerns related to cost overrun risk. However, the Commission emphasizes that, as recognized by ATCO Pipelines, all costs of the Yellowhead Pipeline are subject to Commission oversight, even after approval of the need and facility applications.⁶¹ In addition to its need and facility applications, ATCO Pipelines filed a 2026 to 2028 general rate application to recover the forecast costs of the Yellowhead Pipeline in its revenue requirement. In Decision 30196-D02-2026,⁶² the Commission approved ATCO Pipelines' request for a deferral account for the project and, should the facility application be approved by the Commission, directed ATCO Pipelines to update the deferral account placeholder amount to the forecast costs provided in this proceeding (\$2.937 billion, ± 20 per cent), as part of the compliance filing to Decision 30196-D02-2026. The Commission will, in a future proceeding, test whether ATCO Pipelines' actual costs for the project were prudently incurred. To the extent that the Commission finds that such costs were prudent, ATCO Pipelines will be permitted to recover these amounts through its revenue requirement. The Commission makes no findings in this proceeding on whether costs associated with the Yellowhead Pipeline are just and reasonable.

88. The Commission acknowledges and accepts that the current \$2.937 billion (± 20 per cent) cost estimate of the Yellowhead Pipeline is within the accuracy range originally provided in the Yellowhead Mainline need application (Proceeding 29318). As a result, and in accordance with Decision 30196-D02-2026, ATCO Pipelines is to use the project's Class 3 cost estimate as the placeholder amount for the Yellowhead Pipeline deferral account previously approved in Decision 30196-D02-2026.

⁶⁰ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 12, paragraph 23.

⁶¹ Transcript, Volume 3, page 336, lines 16-22.

⁶² Decision 30196-D02-2026: ATCO Pipelines – 2026-2028 General Rate Application and Negotiated Settlement Agreement, Proceeding 30196, Application 30196-A001, July 2, 2026, paragraph 58.

5.2 Was ATCO Pipelines' participant involvement program adequate?

89. For the reasons that follow, the Commission finds that ATCO Pipelines' participant involvement program generally achieved the purposes of consultation and notification set out in Rule 007.

90. ATCO Pipelines carried out an extensive and ongoing participant involvement program in accordance with Rule 007. Since the second quarter of 2024, ATCO Pipelines engaged a broad range of potentially affected stakeholders, including landholders, municipal and provincial authorities, industry, and non-governmental organizations, as well as Indigenous communities, and continued that engagement throughout project planning and development.⁶³ In total, ATCO Pipelines consulted with or notified approximately 1,789 owners and occupants of land tracts along the preferred route.⁶⁴ Notifications and consultations occurred through in-person meetings, email, phone calls, door hangers and mailed packages. ATCO Pipelines also held 10 open houses during early routing and six open houses on the preliminary preferred route.

91. As of the application filing date of November 4, 2025, ATCO Pipelines had consulted with all 735 directly affected landowners and occupants and received 638 confirmations of non-objection, representing 87 per cent of those required. ATCO Pipelines noted that government agencies and railroad companies were not, as a matter of policy, required to provide confirmations of non-objection, though occupants on lands they administer were included in the count.⁶⁵ At the oral hearing, ATCO Pipelines provided updated figures through an undertaking, advising that it had received 688 confirmations of non-objection, with only 47 remaining outstanding.⁶⁶

92. ATCO Pipelines identified several outstanding concerns raised by directly affected and adjacent stakeholders.⁶⁷ Those concerns generally related to route alignment, proximity to residences, compensation, livestock containment, construction-related dust and noise, access to roads and driveways, vegetation removal, and protection of water wells. ATCO Pipelines submitted that it remained committed to continuing to engage with stakeholders to address outstanding concerns throughout the project life cycle.⁶⁸ ATCO Pipelines submitted that there were no outstanding objections from municipalities, Crown disposition holders, mineral rights owners or pipeline licensees.⁶⁹

93. ATCO Pipelines began consulting with First Nation and Métis communities in 2024 and included providing project information, discussions and meetings, site visits and engagement throughout the project development. ATCO Pipelines committed to on-going engagement with

⁶³ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, Section 4.1, PDF pages 39-42.

⁶⁴ Exhibit 30422-X0133, Appendix B - Attachment B6 A - Complete Line List Tracts (formerly 30422-X0024) - Redacted.

⁶⁵ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 67.

⁶⁶ Exhibit 30422-X0273, Undertaking no. 4, PDF page 1.

⁶⁷ Exhibit 30422-X0138, Appendix B - Attachment B9 A - Listing of Objections and Concerns - Directly Affected Stakeholders (formerly 30422-X0033) - Redacted; Exhibit 30422-X0034, Attachment B9 B - Listing of Concerns - Adjacent Stakeholders.

⁶⁸ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 55. Section 4.4.

⁶⁹ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF pages 51 and 52.

First Nation and Métis communities to better understand concerns, refine mitigation measures and support the continued exercise of Treaty and Aboriginal rights within the project area.⁷⁰

94. Seven landowners and/or occupants filed statements of intent to participate (SIPs) raising concerns regarding route alignment, privacy, compensation, access and construction impacts. ATCO Pipelines submitted that it continued to engage with those landowners and/or occupants and pursue resolution of their concerns.⁷¹ Following meetings with ATCO Pipelines, some landowners and/or occupants withdrew their SIPs as their concerns were resolved. None of the remaining landowners and/or occupants participated further in the hearing process after filing SIPs.

95. The Commission accepts that ATCO Pipelines consulted or notified approximately 1,789 owners and occupants of land tracts along the preferred route, consulted all 735 directly affected landowners and occupants, and consulted with 23⁷² Indigenous communities. The Commission finds that these activities demonstrate compliance with the notification and consultation requirements of Rule 007.

96. ATCO Pipelines demonstrated through its evidence that it considered stakeholder feedback throughout project development and made refinements to the project during route selection, route refinement, and mitigation planning based on the feedback received through consultation. ATCO also made commitments to address concerns raised through consultation and indicated that it would continue to engage with stakeholders as the project advances.^{73, 74}

97. The Commission finds that ATCO Pipelines continued to work with directly affected landowners to resolve outstanding concerns following the filing of the application. The increase in confirmations of non-objection received between the filing date and the oral hearing supports ATCO Pipelines' evidence that it was actively engaging with landowners to resolve their concerns throughout the proceeding.

98. The Commission further finds that ATCO Pipelines documented outstanding stakeholder concerns, proposed follow-up actions and committed to continuing to engage with stakeholders to address those concerns throughout the project life cycle.⁷⁵ The Commission is satisfied that ATCO Pipelines demonstrated that it made and has committed to continue to make reasonable efforts to understand, address, and where possible resolve stakeholder concerns in accordance with Rule 007.

99. The Commission recognizes that not all stakeholder concerns had been resolved as of the application filing date and prior to the close of record of this proceeding. Rule 007 does not

⁷⁰ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence.

⁷¹ Exhibit 30422-X0139, AP Round 2 Information Responses to AUC, PDF pages 6 and 7.

⁷² ATCO Pipelines originally engaged 22 Indigenous communities, with the Papaschase First Nation Band 136 Association added after they submitted a late SIP.

⁷³ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 40, Section 3.6, PDF page 36 and PDF page 55, Section 4.4; Exhibit 30422-X0267, ATCO Opening Statement, PDF page 3, paragraphs 9 and 10.

⁷⁴ The Commission considers commitments to be binding on an applicant regardless of whether or not the commitment is made a condition of approval, as articulated in paragraph 17 of Decision 27240-D01-2023: ENGIE Development Canada GP Inc. – Buffalo Trail Wind Power Project, Proceeding 27240, Applications 27240-A001 to 27240-A003, February 8, 2023.

⁷⁵ Exhibit 30422-X0139, AP Round 2 Information Responses to AUC, PDF pages 6 and 7.

require that all concerns be resolved. Rather, it requires applicants to identify potentially affected parties, provide opportunities for meaningful engagement, document concerns and demonstrate reasonable efforts to address those concerns. Based on the record before it, the Commission is satisfied that ATCO Pipelines met those requirements.

100. The Commission finds that ATCO Pipelines' participant involvement program satisfies the requirements of Rule 007. The Commission acknowledges ATCO Pipelines' commitment to continue to engage with Indigenous communities and stakeholders throughout the project life cycle to address any outstanding concerns as they arise⁷⁶ and expects ATCO Pipelines to carry out those commitments.

5.3 Are the environmental impacts due to the project properly addressed by the mitigations in the environmental protection plans?

101. A project of this size will have some adverse environmental impacts. The issue is whether ATCO Pipelines' environmental evaluation adequately assessed the potential environmental impacts and its environmental protection plans⁷⁷ adequately mitigate the project's environmental impacts. For the reasons set out below, the Commission finds that they do, as impacts on water, wildlife habitat and vegetation have been identified and appropriately addressed through mitigation measures including avoidance, minimization and reclamation that will limit residual effects. Therefore, the Commission finds that adverse environmental impacts should not be significant if ATCO Pipelines follows the environmental protection plans and the best practices identified in their environmental evaluation when it conducts project activities.

5.3.1 What mitigation measures did ATCO Pipelines propose to limit residual effects to watercourses and waterbodies?

102. The Commission finds that ATCO Pipelines prioritized avoidance of watercourses in its routing, which is appropriate given the importance of watercourses and waterbodies (e.g., wetlands) for ecological and hydrological functions. The selected route reflects this prioritization and demonstrates a reasonable effort to avoid impacts. Avoidance is preferred by the Commission as it removes the environmental risk from the beginning and effectively limits or removes residual effects.

103. Where avoidance of watercourses and waterbodies was not possible, ATCO Pipelines proposed measures to minimize impacts, including clear span bridges for crossings and trenchless methods at sensitive sites. These measures are acceptable to the Commission as effective means of minimizing residual effects, provided they are properly implemented.

104. For watercourses, Samson Cree accepted the vehicle and pipeline crossing approaches as described by ATCO Pipelines, which includes clear span bridges, in-stream isolations and trenchless pipe installation.⁷⁸ However, this is subject to proper implementation and adherence to best practices, particularly the advice and expectations of Fisheries and Oceans Canada. The Commission expects ATCO Pipelines to follow through with its commitments to follow these

⁷⁶ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 55, Section 4.4, paragraph 119; Exhibit 30422-X0267, ATCO Opening Statement, PDF page 3, paragraph 9.

⁷⁷ The project has two environmental protection plans; one for the pipeline (Exhibit 30422-X0035) and one for associated facilities (Exhibit 30422-X0036).

⁷⁸ Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF page 21.

best practices, to meet Fisheries and Oceans Canada’s expectations as communicated in its Letter of Advice,⁷⁹ and abide by all Fisheries and Oceans Canada codes of practice and standards.⁸⁰

105. For waterbodies, including wetlands, the Commission finds that the proposed crossing and construction approaches⁸¹ are consistent with applicable regulatory expectations as required principally under the *Public Lands Act* and relevant *Water Act* codes of practice, provided they are properly implemented. The Commission expects ATCO Pipelines to follow through on its commitment to adhere to and comply with these acts.

106. Overall, the Commission finds that ATCO Pipelines has adequately avoided and minimized potential impacts to watercourses, subject to the proper implementation of its mitigation measures.

5.3.2 What mitigation measures did ATCO Pipelines propose to limit residual effects to wildlife habitat?

107. ATCO Pipelines used public wildlife data to inform the route selection, including records of wildlife occurrences, wildlife habitat features, species ranges and critical habitat, wildlife timing restrictions, and protected areas within the study area. ATCO Pipelines indicated that the purpose of incorporating this data was to avoid potential wildlife habitat (avoidance of sensitive or restricted areas)⁸² and limit habitat fragmentation (attempts to parallel existing disturbance).⁸³

108. The Commission recognizes that these databases are a useful screening tool for identifying known wildlife occurrences and habitat features; however, because database records are dependent on historical survey effort and on data submissions with restrictions on sensitive information, they do not provide a totally complete or current inventory of wildlife within a project area.

109. The Commission therefore expects ATCO Pipelines’ preliminary field surveys to identify occurrences of wildlife and wildlife features and that ATCO Pipelines will use these observations to influence final pipeline alignment adjustments and construction activities in a way that impacts to wildlife habitat can be avoided whenever possible. The Commission acknowledges ATCO Pipelines’ commitment to follow standard surveying practices (such as the sensitive species inventory guidelines),⁸⁴ but also acknowledges the value of Indigenous monitors, whose expertise and experience should be incorporated where possible.

110. The Commission finds that there are opportunities to minimize impacts on wildlife; however, those opportunities are more limited than for other environmental components, such as vegetation (discussed later in this decision). ATCO Pipelines’ proposed measures to minimize wildlife impacts include general practices such as habitat protection, waste management, and species-specific mitigation measures to be implemented if wildlife features are identified during field surveys. While avoidance remains the preferred approach, the Commission finds that even

⁷⁹ Exhibit 30422-X0151, AP Round 2 Information Responses to LBT, PDF pages 26-30.

⁸⁰ Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF page 21.

⁸¹ Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF pages 31 and 33.

⁸² Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF pages 35-36.

⁸³ Exhibit 30422-X0072, AP Round 1 Information Responses to AUC, PDF page 36.

⁸⁴ Exhibit 30422-X0035, Attachment D1 - Environmental Protection Plan - Mainline, PDF page 24;
Exhibit 30422-X0036, Attachment D2 - Environmental Protection Plan - Facilities, PDF page 20.

where avoidance is not possible, the mitigation measures proposed in ATCO Pipelines' environmental protection plans will help minimize residual effects on wildlife habitat.

111. Overall, the Commission finds that ATCO Pipelines' approach appropriately focuses on avoidance of impacts to wildlife with supporting mitigation measures to minimize residual effects when avoidance of wildlife features is not possible.

5.3.3 What mitigation measures did ATCO Pipelines propose to limit residual effects to vegetation?

112. The Commission finds that vegetation clearing is largely unavoidable for projects of this type and size. Maintenance of vegetation within the right-of-way will represent a long-term impact and opportunities for mitigation measures are limited. Within these constraints, the Commission accepts ATCO Pipelines' commitments to avoid rare and certain culturally significant plant species, where identified, as reasonable measures for avoidance in the circumstances.

113. The Commission finds that mitigation of impacts to vegetation will primarily occur through minimization. The Commission accepts ATCO Pipelines' commitments regarding vegetation management, including proposals for weed control (such as not spraying herbicides for weed management in areas that are used for food and medicine), as reasonable measures for mitigating vegetation impacts in the circumstances. While some loss of vegetation value, including disturbance to culturally significant plants and long-term forest cover is expected, the Commission expects ATCO Pipelines to avoid or minimize such losses and disturbances where reasonably possible.

114. Overall, the Commission finds that while vegetation impacts cannot be fully avoided, ATCO Pipelines' minimization efforts are acceptable. The Commission considers that collaboration with Indigenous Elders and Knowledge Keepers, through the Indigenous monitoring program, can strengthen these measures by informing mitigation approaches for culturally significant plant species. Such input may address site-specific values and considerations that are not fully captured through conventional environmental science.

5.3.4 Commission conclusions on mitigation of environmental impacts

115. The Commission finds that ATCO Pipelines' evidence supports that it has sufficiently considered how to avoid and minimize environmental impacts through a combination of mitigation measures including route selection, preliminary and planned field surveys, and identifying avoidance and minimization measures to be employed throughout construction. The effectiveness of these mitigations depends on proper implementation and compliance with best practices and the willingness to listen to and engage meaningfully with Indigenous monitors.

116. Accordingly, the Commission expects continued engagement with Samson Cree and adherence to commitments provided in the environmental protection plans⁸⁵ to ensure mitigation measures are applied and residual effects are appropriately managed.

117. The Commission expects ATCO Pipelines to revise and maintain the environmental alignment sheets provided in Exhibit 30422-X0002 to incorporate any new changes or updates to

⁸⁵ Exhibit 30422-X0035, Attachment D1 – Environmental Protection Plan – Mainline; and Exhibit 30422-X0036, Attachment D2 – Environmental Protection Plan – Facilities.

environmental features identified during pre-construction surveys and construction monitoring. To support this expectation, the Commission imposes the following condition:

- a. ATCO Gas and Pipelines Ltd. shall:
 - i. File, within 30 days of this decision, a schedule of expected updates to the environmental alignment sheet that captures major project milestones and the timeline for environmental survey efforts; and
 - ii. In accordance with the schedule filed in (i), file the updated environmental alignment sheets with the Commission. The updated environmental alignment sheets shall be accompanied by a brief memo summarizing the changes.

5.4 Consideration of cumulative environmental effects

118. In its environmental evaluation, ATCO Pipelines assessed the project's residual environmental effects and concluded that, with the implementation of proposed mitigation measures (as provided in its environmental protection plans), there would be no significant adverse residual effects on the environment.

119. Samson Cree submitted that the Commission should assess cumulative effects, including the treatment of reversibility,⁸⁶ in determining whether a project is in the public interest. It stated that ATCO Pipelines' environmental evaluation used a framework that only found an effect on the environment to be significant if it was not reversible. Conversely, if an effect was reversible, no matter how large the effect or how long the effect persisted prior to being reversed, it was deemed by ATCO Pipelines to not be significant. Samson Cree submitted that this framework is fundamentally unreasonable.

120. Rule 007 does not formally require a cumulative effects assessment for pipeline transmission facility applications. The Commission acknowledges, however, that any incremental impacts arising because of the project may contribute to cumulative environmental effects in the area if there are significant residual effects after mitigation. The parties were not aligned on this issue and although an analysis is not specifically required on this point, the Commission has reviewed and considered whether there are likely to be significant residual effects that could contribute to cumulative environmental effects in this case.

121. The Commission understands ATCO Pipelines' position is that because the environmental impacts are low and/or reversible, the adverse residual effects on environmental components are not significant⁸⁷ and therefore the project's contribution to cumulative effects is limited.

122. Samson Cree's position is that the project, including the duration that the pipeline will be operating prior to reclamation, will contribute incrementally to cumulative degradation on the territory where Samson Cree exercises their traditional rights and is one of many projects that have done so. In other words, Samson Cree submits that significant residual effects can occur for impacts that are reversible.

⁸⁶ Transcript, Volume 3, page 305, lines 1-25.

⁸⁷ Exhibit 30422-X0012, Environmental Evaluation Report, PDF page 26.

123. For example, ATCO Pipelines submitted that the forested areas adjacent to the existing right-of-way will be impacted and this impact will be eventually reversed (reclaimed); however, Samson Cree indicated that this is a significant adverse residual effect because their ability to use the intact forested areas will be affected for multiple generations while the pipeline is operational and until it is fully reclaimed. ATCO Pipelines' perspective relates to the construction and operations of the pipeline and the regulatory requirements surrounding the project, while Samson Cree's perspective relates to the generational use of the project lands for medical, cultural and traditional uses as rightsholders.

124. Ultimately, given the size and scope of this project, the Commission expects there to be some adverse residual effects. In the Commission's view, the most effective way to address concerns regarding cumulative environmental effects is for ATCO Pipelines to limit the significance of these residual effects by applying environmental mitigations, including avoidance and minimization, at the outset of the project.

125. The Commission is persuaded by ATCO Pipelines' considerable evidence and related commitments, that the environmental impacts of the project will largely be avoided and minimized through the siting and routing of the project and the implementation of ATCO Pipelines' environmental protection plans, as well as its commitments to follow regulatory standards and best practices, including obtaining *Public Lands Act* and *Water Act* approvals from Alberta Environment and Protected Areas and adhering to Fisheries and Oceans Canada codes of practice and standards. The Commission has found above that ATCO Pipelines has appropriately identified and planned to limit adverse residual effects through its proposed mitigation measures.

126. As a result, the Commission finds that the significance of the project's residual environmental effects has been substantially reduced. In the absence of significant residual effects, meaningful cumulative environmental effects arising from the project are also expected to be limited.

5.5 Is Indigenous consultation adequate and what is the potential to impact Aboriginal and treaty rights?

127. The only Indigenous community that participated in the full process for this proceeding was Samson Cree. The remaining Indigenous communities notified about the facility application either did not register to participate or withdrew their participation during the proceeding. Samson Cree did not ask the Commission to deny the project or to re-route specific sections of the project to avoid impacting any specific areas of concern. By the end of the proceeding, Samson Cree advised that most of their concerns have been sufficiently mitigated or could be addressed through ongoing engagement and through the Indigenous monitoring program.⁸⁸

5.5.1 Overview of the duty to consult

128. The Commission has the authority to consider and address potential adverse impacts to Aboriginal and treaty rights as set out in Section 35 of the *Constitution Act*, 1982 when deciding whether approval of a project is in the public interest. This includes determining whether the duty to consult potentially affected Indigenous communities is triggered and satisfied.

⁸⁸ Exhibit 30422-X0268, LT to ATCO re Samson Cree Nation Response to ATCO Letter re Proposed Mitigation Commitments.

129. The duty to consult is triggered when the Crown has real or constructive knowledge of the potential existence of an Aboriginal right or title and contemplates conduct that might adversely affect it. The Commission is not the Crown or an agent of the Crown. However, the Commission is the final decision-maker for applications to construct and operate gas utility pipeline facilities in Alberta. This type of decision may trigger the duty to consult.

130. The scope of the duty to consult is based on a preliminary assessment of the strength of the claim or right asserted and the extent of the alleged infringement. Where the claim or right asserted is weak or the perceived infringement is less serious or relatively minor, the content of the duty will be at the lower end of the spectrum, for example, the duty may be limited to giving notice, disclosing information, and discussing issues raised. If a strong *prima facie* case for the claim is established and the potential infringement is of higher significance, the duty is more extensive and may include the opportunity to make submissions, formal participation in the decision-making process, and the provision of written reasons demonstrating that concerns were considered. At this end of the spectrum, it is possible that the consultative process may reveal a duty to accommodate Aboriginal concerns. However, the duty to consult does not confer a veto power on Aboriginal groups.⁸⁹

131. Where the duty to consult is triggered, the Crown may rely on steps undertaken by a regulatory agency to fulfil the duty, provided that the regulatory agency has the necessary statutory powers and duties to provide an appropriate level of consultation and, where required, accommodation. Under its constating legislation, the Commission has broad powers that enable it to require applicants to notify or consult with potentially affected stakeholders, to hold hearings, to order the production of information, to impose conditions on applicants, and to provide participant funding. For these reasons, the government of Alberta has confirmed that where the duty to consult is triggered by an application before the Commission, the government of Alberta will rely on the Commission's process to address potential impacts to Aboriginal and treaty rights. The Commission is committed to ensuring that its processes and decisions uphold Section 35 of the *Constitution Act*, 1982.

132. The AUC's consultation process for Indigenous communities includes: (1) pre-application engagement by proponents, (2) AUC's notice of application and the opportunity for Indigenous communities to self-identify if they consider their rights may be directly and adversely affected, and (3) public hearings in accordance with Section 9 of the *Alberta Utilities Commission Act*.

5.5.2 Is the duty to consult triggered?

133. As set out above, the duty to consult is triggered when the Crown has real or constructive knowledge of the potential existence of an Aboriginal right or title and contemplates conduct that might adversely affect it. While the Commission is not the Crown or an agent of the Crown, it is the final decision-maker for ATCO Pipelines' application to construct and operate the Yellowhead pipeline facilities; a decision which, for the reasons set out below, the Commission has determined triggers the duty to consult.

134. Samson Cree is one of the Maskwacis Cree Nations, a signatory to Treaty 6, and its members are Aboriginal peoples of Canada within the meaning of Section 35(1) of the

⁸⁹ *Haida Nation v. British Columbia (Minister of Forests)*, 2004 SCC 73; *Chippewas of the Thames First Nation v. Enbridge Pipelines Inc.*, 2017 SCC 41; *Clyde River (Hamlet) v. Petroleum Geo-Services Inc.*, 2017 SCC 40.

Constitution Act, 1982. Samson Cree has about 9,600 registered members with many members living on reserve land (Samson IR 137, Samson IR 137A and Pigeon Lake).

135. Samson Cree stated that they are the protectors of the land and are entitled to practice their rights to hunting, fishing, and harvesting plants and medicines throughout Treaty 6 and that by signing Treaty 6 they did not surrender any rights, including title or their relationship to the land.⁹⁰ They assert that the lands where they exercise their Aboriginal and treaty rights overlap with the project area.

136. About 13 per cent of the project (approximately 24 kilometres⁹¹) is on Crown land. The Crown land on which part of the project is intended to be located overlaps with lands over which Samson Cree asserts that it is entitled to exercise its Aboriginal and treaty rights. The Commission's approval of the project might adversely affect the ability of Samson Cree members to exercise their asserted rights on these lands, for example, by reducing access to these lands during construction. The Commission therefore finds that the duty to consult is triggered as it relates to Samson Cree.

5.5.3 What is the scope of duty to consult in this case?

137. Having determined that the duty to consult is triggered, the Commission must determine what the scope or content of the duty is so that it can determine whether the duty has been fulfilled. The scope or content of the duty is proportionate to the strength of the case supporting the existence of the right or title and the seriousness of the potentially adverse effect on the right or title that is claimed.

138. For the reasons that follow, the Commission is prepared to assume that Samson Cree have a strong claim in the circumstances and finds that the potential infringement on Samson Cree's asserted rights arising from the project is likely to be low.

5.5.3.1 What is the strength of the case supporting the existence of the rights asserted?

139. Samson Cree explained that it holds inherent and constitutionally protected treaty rights to access and use of the land for traditional purposes. These rights include, but are not limited to, hunting, trapping, fishing, gathering, and the practice of culture and ceremony on the land.⁹²

140. Samson Cree submitted that their rights-based activities take place throughout their traditional territory, including areas affected by the project.⁹³ Samson Cree's consultation office conducted field visits along approximately 24 kilometres of Crown land along the project route. Samson Cree explained that outlining specific areas of use by Samson Cree peoples (past and present) to exercise rights-related activities was not possible based on the limited resources provided by ATCO Pipelines to conduct the field visits. However, Samson Cree advised that, subject to confirming adequate capacity funding and time, it is open to conducting additional

⁹⁰ Exhibit 30422-X0259, OIK Session Transcript - April 24, 2026, page 19, lines 13-21.

⁹¹ ATCO Pipelines clarified that of the 24 kilometres of Crown land there are a few parcels that are owned by Alberta Infrastructure that are not accessible. The total length of pipeline crossing Crown land that is accessible for traditional land use is 21 kilometres. See Transcript, Volume 1, page 82, lines 1-12.

⁹² Proceeding 30518, Exhibit 30518-X0245, Samson Cree Nation Written Evidence - Traditional Land Use Assessment - Statement of Qualifications, PDF page 25.

⁹³ Exhibit 30422-X0259, OIK Session Transcript – April 24, 2026, page 19.; Exhibit 30422-X0081, Statement of Intent to Participate, PDF page 2; and Exhibit 30422-X0269, Proceeding 30422 - Opening Statement of Samson Cree Nation.

field visits and comprehensive community engagement on and off reserve to gather and share this information.⁹⁴

141. During the proceeding, Samson Cree Elders and Knowledge Keepers shared information about their deep and sacred connection to the land, emphasizing that they are guided by natural or traditional law and have long relied on the project area for hunting, gathering, and passing along cultural knowledge across generations. Elder Brian Buffalo explained that the land “is who we are” and “we are protectors of the land, we spoke for the land. That’s what we do as people.”⁹⁵ Emphasizing Samson Cree’s spiritual connection to the land, Elder Josephine Buffalo stated that “Through nature, we are connected to [the] Creator.”⁹⁶ The Elders and Knowledge Keepers also spoke about their kinship ties and travelling with family to hunt and gather. They identified several culturally significant plants and animals and shared that there are burial sites, historical trails and camps along the pipeline route that should be avoided.

139. Samson Cree also provided high level information regarding the importance of watercourses and waterbodies, plants and wildlife (including lists of specific species). Samson Cree advised that their members harvest plants, hunt, fish and engage in ceremony and practice their culture around the project area, especially in the eastern slopes and foothills of the Rocky Mountains.

142. The Commission accepts that Samson Cree have historically, and may currently, exercise their Aboriginal and treaty rights on the Crown land at issue. However, the Commission has insufficient evidence to make more specific findings on the contemporary exercise of such rights, including where such activities are taking place, when they are taking place, and how approval of the project may interfere with or prevent them from occurring. This results in some uncertainty about the nature and extent of the rights that may potentially be impacted by the project, as further discussed below. In addition, the Commission accepts that there may be potential to find Samson Cree burial or grave sites in the project area. Overall, the Commission is prepared to assume that Samson Cree have a strong claim in the circumstances.

5.5.3.2 What is the seriousness of the potential infringement on Samson Cree’s asserted rights?

143. Samson Cree expressed concern that the project will result in destruction, disruption and fragmentation of habitat resulting in direct, adverse and cumulative effects on their inherent and treaty rights. In their closing remarks, Samson Cree stated that their primary concerns are:

- Ensuring that their rights are respected and that they can participate meaningfully in monitoring, and ongoing project planning.
- The conservation and preservation of intact lands, watercourses and wetlands.⁹⁷

⁹⁴ Exhibit 30422-X0203, Proceeding 30422 - Yellowhead Pipeline - Samson Cree Nation IR Response to AUC, PDF page 3.

⁹⁵ Exhibit 30422-X0259, OIK Session Transcript - April 24, 2026, page 58, lines 20-21.

⁹⁶ Exhibit 30422-X0259, OIK Session Transcript - April 24, 2026, page 114, lines 24-25.

⁹⁷ Exhibit 30422-X0203, Yellowhead Pipeline - Samson Cree Nation IR Response to AUC.

144. For the reasons set out below, the Commission finds that any infringement arising from the project on Samson Cree members' asserted rights to exercise their Aboriginal and treaty rights is likely to be low.

145. Samson Cree expressed genuine concern that their uses of the Crown land for traditional purposes might be affected by the project. The Commission finds Samson Cree's evidence, while valuable at a high level, was of a general nature rather than being specific to the proposed project route. The absence of information about where such activities are taking place, when they are taking place, and how approval of the project may interfere with or prevent them from occurring, contributes to the Commission's findings regarding the likelihood of impacts to be lower.

146. The pipeline will be located mostly on private land (87 per cent), which Samson Cree indicated they do not have permission to access for traditional land use activities. About 13 per cent of the project (approximately 24 kilometres) is on Crown land that is accessible for traditional land use and for which ATCO Pipelines received *Public Lands Act* approval from the Alberta Energy Regulator. The Aboriginal Consultation Office did not require ATCO Pipelines to consult with Samson Cree for the *Public Lands Act* application.⁹⁸

147. The project will be constructed over a relatively brief period,⁹⁹ and the pipeline will be buried, meaning that any construction impacts to rights will be temporary in duration and ongoing impacts during the operation of the pipeline related to right-of-way maintenance are expected to be minor. The project is sited along existing rights-of-way and linear disturbances, minimizing potential habitat fragmentation and impacts to previously undisturbed land. While there will be some disturbance as a result of construction activities, including tree and vegetation clearing, and the landscape on which the project is located will be altered for the duration of the operation of the project, the underground configuration of the pipeline and its co-location with existing linear disturbances mitigate access concerns once the project is operationalized. During construction, ATCO Pipelines indicated that it would undertake to minimize access restrictions to Crown land for traditional activities.

148. With respect to the project impacts on the environment, the Commission has found above that it is unlikely to cause significant residual adverse environmental effects if ATCO Pipelines adheres to its identified mitigation measures and commitments. This is discussed in detail in Section 5.3. In short, ATCO Pipelines has made a number of commitments including to utilize best practices to minimize potential environmental impacts at water crossings, to minimize right-of-way disturbances and to avoid the use of herbicides and pesticides in sensitive habitats such as aquatic ecosystems and areas where Samson Cree and other Indigenous communities may harvest vegetation.

149. The Commission finds that ATCO Pipelines' commitments help to address Samson Cree's primary concerns with protecting water, minimizing habitat loss and contamination.¹⁰⁰ The Commission considers these commitments to be reasonably responsive to the concerns raised by Samson Cree and finds that they will reduce any potential infringement to Samson Cree's asserted rights, particularly in relation to their environmental and asserted

⁹⁸ Exhibit 30422-X0029, Attachment B7 A - ACO Consultation Documents.

⁹⁹ The Yellowhead Pipeline construction is anticipated to commence in the third quarter of 2026 and have an in-service date in the fourth quarter of 2027.

¹⁰⁰ Exhibit 30422-X0268, LT to ATCO re Samson Cree Nation Response to ATCO Letter re Proposed Mitigation Commitments.

traditional land use concerns and their concerns related to the total amount of land and resources remaining to meaningfully exercise their Aboriginal and treaty rights.

150. The Commission took note of a number of high-level concerns expressed by Samson Cree Elders and Knowledge Keepers, such as the need to protect water and waterbodies, the use of heavy equipment and related construction disturbances, increased foot and recreational traffic along the pipeline right-of-way, impacts to medicinal plants and the potential for invasive plant species, wildlife impacts including to keystone aquatic species such as macroinvertebrates, soil erosion and protection, the possibility of encountering burial sites, and the need for ceremony at key project milestones. The Commission wishes to convey that it read, heard and carefully considered this sensitive information and took note of the plant and animal species lists provided. It expects that ATCO Pipelines has also noted and catalogued these concerns and that its commitments were made honestly and genuinely to engage work with Samson Cree and its representatives to avoid and minimize traditional land use impacts where it is reasonably possible to do so.

151. ATCO Pipelines committed to ongoing consultation throughout the project life cycle with Samson Cree and other Indigenous communities, to establish an Indigenous monitoring program framework or community liaison program, as well as other consultation commitments.¹⁰¹ ATCO Pipelines advised that it intended to engage with Indigenous communities in Q2 2026 to discuss the monitoring program, and invite participation in its development and implementation.¹⁰² ATCO Pipelines indicated that it is prepared to report on monitoring opportunities and the Indigenous inspection program.¹⁰³ While ATCO Pipelines was committed to providing inspection and monitoring opportunities for the lifespan of the project, it submitted that if the Commission sought to add a condition of approval in relation to Indigenous inspection and monitoring, then it may be appropriate to tie post-construction monitoring to the two and five-year intervals at which ATCO Pipelines is required to carry out post-construction reclamation assessments under its *Environmental Protection and Enhancement Act* approval.¹⁰⁴

152. Samson Cree submitted that Indigenous monitoring opportunities would help protect traditional cultural knowledge, safeguard cultural and archeological sites, and mitigate environmental impacts.¹⁰⁵ The Commission understands that Samson Cree would like to work with ATCO Pipelines going forward to minimize environmental impacts, identify potential sites of concern prior to the commencement of construction, provide input and advice on potential mitigations if a site of concern is identified, and participate in ongoing monitoring post-construction.¹⁰⁶ Samson Cree requested that the Commission impose a condition on any project approval requiring ATCO Pipelines to provide resources to support Samson Cree's

¹⁰¹ Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence; Exhibit 30422-X0268, LT to ATCO re Samson Cree Nation Response to ATCO Letter re Proposed Mitigation Commitments; Transcript, Volume 3, page 234, lines 13-22; and page 266.

¹⁰² Exhibit 30422-X0241, AP YP Facility Application Rebuttal Evidence, PDF page 28, paragraph 72.

¹⁰³ Transcript, Volume 3, PDF page 102.

¹⁰⁴ Transcript, Volume 3, PDF page 101.

¹⁰⁵ Transcript, Volume 2, PDF pages 36-38 and 40-41.

¹⁰⁶ Exhibit 30422-X0268, LT to ATCO re Samson Cree Nation Response to ATCO Letter re Proposed Mitigation Commitments; Exhibit 30422-X0203, Proceeding 30422 - Yellowhead Pipeline - Samson Cree Nation IR Response to AUC, PDF page 3.

ongoing participation in monitoring and mitigation through the full lifecycle of the project, including construction, post-construction, operation, decommissioning and restoration.¹⁰⁷

153. The Commission expects that ATCO Pipelines will follow through on its commitments and finds that continued engagement, including through the Indigenous monitoring program, will be essential for identifying any sites of concern, refining final project routing and environmental mitigations and minimizing impacts on Aboriginal and treaty rights. Regarding the Indigenous monitoring program, the Commission expects ATCO Pipelines and interested Indigenous communities to work together to develop and implement this program in a timely manner while adhering to project timelines. Given that the pipeline will be underground, the Commission finds ATCO Pipelines' proposal to invite Samson Cree to post-construction monitoring activities at the same time as is required under ATCO Pipelines' *Environmental Protection and Enhancement Act* approval to be reasonable.

154. Accordingly, the Commission imposes the following condition of approval:

- b. ATCO Gas and Pipelines Ltd. shall file with the Commission a report, no more than one year following substantial completion of project construction, describing its pre-construction, construction and post-construction Indigenous monitoring program with the Samson Cree Nation. The report must include, at a minimum, a summary of (a) engagement activities undertaken with Samson Cree to determine opportunities for their participation in monitoring activities; (b) the types of monitoring activities undertaken by Samson Cree; (c) the capacity (e.g., training, financial, information sharing) that ATCO Pipelines provided to Samson Cree to help them meaningfully participate in the Indigenous monitoring program; and (d) a summary of any sites identified and mitigations that were undertaken to avoid or minimize (to the extent reasonably possible) project effects on traditional land use sites, resources or activities. ATCO Pipelines should provide a copy of the report to Samson Cree at the same time that it is filed with the Commission.

155. With respect to Samson Cree's concern that the project may impact historic resources like burial sites, the Ministry of Tourism and Sport¹⁰⁸ has authority in relation to historic resources under the *Historical Resources Act* and the Commission expects ATCO Pipelines to comply with the conditions outlined in the relevant approval and any future directions that the regulator may have related to historic resources.

156. Samson Cree and ATCO Pipelines have agreed to work together to identify any important sites prior to construction. Involving Samson Cree and other Indigenous communities in pre-construction site assessments will help identify sites, encourage information sharing and foster trust.

157. Samson Cree's counsel indicated that most of Samson Cree's concerns have been sufficiently mitigated or could be addressed through ongoing engagement and through the Indigenous monitoring program.¹⁰⁹ The Commission finds that the mitigations proposed, the

¹⁰⁷ Transcript, Volume 3, PDF page 92.

¹⁰⁸ Formally known as the *Minister of Arts, Culture and Status of Women*.

¹⁰⁹ Exhibit 30422-X0268, LT to ATCO re Samson Cree Nation Response to ATCO Letter re Proposed Mitigation Commitments.

commitments made by ATCO Pipelines, and the conditions imposed by the Commission, are reasonably responsive to the concerns raised and further reduce the level of infringement on Samson Cree's Aboriginal and treaty rights in the project area. The Commission therefore concludes that any infringement arising from the project on Samson Cree members' asserted rights to exercise their Aboriginal and treaty rights is likely to be low.

5.5.3.3 What is the content of the duty to consult arising from the project?

158. In light of the findings above with respect to the strength of Samson Cree's asserted claim and the extent of the potential infringement arising from ATCO Pipelines' project on that claim, the Commission finds that the content of the duty to consult in relation to the project lies no higher than the middle of the spectrum. Generally speaking, this requires a process that includes giving notice, providing information, affording opportunities to present concerns, understanding and responding to concerns, and affording opportunities for discussion and comment, all with a view to preserving asserted Aboriginal and treaty rights from adverse project impacts.

5.5.4 Was the duty to consult owed to Samson Cree fulfilled?

159. For the reasons that follow, the Commission finds that the Crown's duty to consult Samson Cree was fulfilled.

160. The Commission acknowledges the importance of adequate process where the duty to consult is triggered. In this case, Samson Cree has been provided with a full process notwithstanding the Commission's determination that the content of the duty in relation to the project lies no higher than the middle of the spectrum and that any infringement arising from the project on Samson Cree members' asserted rights to exercise their Aboriginal and treaty rights is likely to be low. This included access to participant funding to hire legal counsel and consultants, the opportunity to provide evidence, ask questions of ATCO Pipelines and provide final argument.

161. ATCO Pipelines provided the project information package to Samson Cree on October 11, 2024, and included Samson Cree in its participant involvement program.¹¹⁰ Engagement over the next year included several follow-up emails, an in-person meeting to discuss the project, and a three-day site visit. ATCO Pipelines filed as evidence a detailed record of consultation that was later verified by Samson Cree's consultation project officer.¹¹¹

162. The Commission notified Samson Cree of ATCO Pipelines' application on November 19, 2025, and granted them standing on January 9, 2026, with full participation rights and access to participant funding to hire legal counsel and experts. Represented by legal counsel, Samson Cree participated in all stages of the Commission's process, including issuing and responding to information requests, filing evidence, participating in the virtual oral hearing and providing argument. Samson Cree retained SevGen Consulting Inc. to conduct interviews with

¹¹⁰ Exhibit 30422-X0275, Undertaking 5 Attachment 1.

¹¹¹ Exhibit 30422-X0276, Undertaking 6 Attachment 1; Exhibit 30422-X0281, Samson Cree Nation - Undertaking 1.

Elders and Knowledge Keepers, review Samson Cree's geographic information system (GIS) database of project site visits and prepare a traditional land use assessment report.¹¹²

163. Throughout the proceeding, the Commission sought to facilitate Samson Cree's meaningful participation in the process. In response to the Commission's notice of hearing, Samson Cree expressed interest in holding an oral Indigenous Knowledge (OIK) session to enable its Elders, Knowledge Keepers, leaders and community members to share Indigenous Knowledge directly with the Commission in a manner consistent with their oral traditions, customs and protocol. An OIK session was held with Samson Cree on April 24, 2026, at the Nipisihkopahk Cultural Hall, in Maskwacis. The session was organized in collaboration with Samson Cree's consultation project officer and was facilitated by a Samson Cree council member. Representatives from ATCO Pipelines also attended the OIK session.

164. The Commission appreciated the opportunity to hear directly from Samson Cree Elders, Knowledge Keepers and leadership during the OIK session. The Commission found it helpful to learn more about Samson Cree, their history and connection to the land, as well as their concerns about the environment and how the project may adversely affect their harvesting and traditional land use. The Commission is grateful for the opportunity and thanks Samson Cree for welcoming us into their community.

165. As noted above, Samson Cree advised that most of its concerns have been sufficiently mitigated or could be addressed through ongoing engagement and through the Indigenous monitoring program.¹¹³ The Commission found that the mitigations proposed and commitments made by ATCO Pipelines, in addition to the Commission's condition in respect of Indigenous monitoring, are reasonably responsive to the concerns raised and are likely to further reduce the level of infringement on Samson Cree's Aboriginal and treaty rights in the project area.

166. Overall, the Commission finds that the consultation with Samson Cree was at the higher end of the spectrum. The Commission finds that ATCO Pipelines' engagement with Samson Cree, including as part of the Commission's Rule 007 requirements, the Commission's regulatory process, which included the opportunity for Samson Cree to provide written and oral evidence, make submissions and formally participate in the decision-making process, and the Commission's provision of written reasons including a condition of approval related to Indigenous monitoring, all contributed to minimizing any infringement on Samson Cree's asserted Aboriginal and treaty rights arising from the project, and fulfilled the Crown's duty to consult owed to the Samson Cree.

5.6 Will noise levels comply with Rule 012?

167. In this section of the decision, the Commission considers the noise from the Yellowhead Pipeline project to ensure it is within acceptable limits and will not adversely affect nearby receptors (e.g., residences). Although the buried pipeline is not a noise source, the related above-ground control station and compressor station equipment will emit noise during operations.

¹¹² Exhibit 30422-X0181, Samson Cree's Submission of Interveners' Written Evidence - Yellowhead Mainline TLU - Mar 2026.

¹¹³ Exhibit 30422-X0268, LT to ATCO re Samson Cree Nation Response to ATCO Letter re Proposed Mitigation Commitments.

168. The Commission evaluated ATCO Pipelines' noise impact assessments (NIAs) for the YP East Control Station and the YP Compressor Station. For the reasons set out below, the Commission finds that the NIAs meet the requirements of Rule 012 and that the predicted cumulative sound levels from each station and nearby energy-related facilities at noise receptors comply with the permissible sound levels set out in Rule 012: *Noise Control*.

169. ATCO Pipelines retained FDI Acoustics and WSP Canada Inc. to conduct NIAs¹¹⁴ for the YP East Control Station and YP Compressor Station, respectively, in accordance with Rule 012. The NIAs predicted the cumulative sound levels at nearby dwellings under normal operating conditions and demonstrated compliance by comparing these levels with applicable permissible sound levels as required by Rule 012.

170. The NIAs identified 12 receptors within 1.5 kilometres of each station's property boundary and modelled project noise sources including gas turbine-driven compressor packages and instrument air compressor packages housed inside insulated buildings, exhaust fans, piping and related equipment.

171. The NIA conducted by FDI Acoustics predicted that the cumulative sound levels at the receptors near the YP East Control Station will comply with the nighttime permissible sound level set out in Rule 012 with no mitigation at all but four receptors. The cumulative sound levels at the most affected receptor, R01, were predicted to be 47.7 A-weighted decibels (dBA)¹¹⁵ and 49.4 dBA during the nighttime and daytime, respectively, exceeding the nighttime permissible sound level of 40 dBA. To achieve compliance, the NIA recommended noise mitigation measures consisting of wrapping all above-ground station piping with acoustical lagging and installing removable acoustic blankets or enclosures on valves. Integrating the recommended noise mitigation measures into the noise model resulted in predicted noise levels that meet the permissible sound level at the four receptors. For example, the mitigations reduced the nighttime cumulative sound level at R01 to 39.2 dBA. ATCO Pipelines committed to the noise mitigation measures recommended in the NIA and confirmed the measures will be implemented prior to operation of the YP East Control Station to ensure compliance with Rule 012.¹¹⁶

172. According to the NIA conducted by WSP, the ambient sound levels in the YP Compressor Station study area are elevated during the nighttime mainly due to traffic noise from nearby roadways. Thus, the NIA included a request for Class A2 adjustments to the permissible sound levels under Rule 012 to account for the actual ambient sound level in an area rather than the assumed level. This necessitated the measurement of baseline ambient sound levels to determine the applicable adjustment, which WSP did at representative receptors (R01 and R13). Field measurements were collected using sound level equipment from July 2 to July 4, 2025, with data isolation applied to remove invalid noise data samples due to wind-induced noise and rain. The nighttime Class A2-adjusted permissible sound levels for R01 and R13 were determined by WSP to be 43 dBA and 55 dBA, respectively. Compliance was then evaluated by comparing the predicted cumulative sound levels¹¹⁷ with the applicable

¹¹⁴ Exhibit 30422-X0141, ATCO-AUC-2026FEB6-004 Attachment 1; Exhibit 30422-X0142, ATCO-AUC-2026FEB6-004 Attachment 2.

¹¹⁵ The A-weighted decibel scale approximates the way the human ear hears different frequencies.

¹¹⁶ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 84, Section 6.4.1.

¹¹⁷ Consisting of measured ambient sound levels plus nearby energy-related facilities' noise contributions plus noise contribution from the proposed compressor station.

Class A2-adjusted permissible sound levels. The NIA considered compliance for two design scenarios, consisting of aboveground (Scenario A) and primarily underground (Scenario B) compressor station piping, since the station design has not been finalized. The NIA concluded that the nighttime cumulative sound levels for both design scenarios at the most affected receptor, R01, are equal to the nighttime Class A2-adjusted permissible sound level.

173. The Commission finds that the NIA for the YP East Control Station meets the requirements of Rule 012 and accepts the conclusion that the YP East Control Station with the implementation of recommended mitigation measures is expected to comply with permissible sound levels. However, given that noise mitigation is critical for the YP East Control Station to comply with Rule 012, the Commission imposes the following conditions of approval:

- c. Before the project commences operations, ATCO Gas and Pipelines Ltd. shall implement the noise mitigation measures identified in the final noise impact assessment, or alternative measures that provide equal or greater acoustic performance, to ensure the Yellowhead Pipeline East Control Station complies with Rule 012: *Noise Control*. On or before the date the project commences operations, ATCO Pipelines must file a submission with the Commission detailing the mitigation measures it has implemented.
- d. ATCO Gas and Pipelines Ltd. shall conduct a post-construction comprehensive sound level (CSL) survey for the Yellowhead Pipeline East Control Station, including an evaluation of low frequency noise, at Receptor R01. The post-construction CSL survey must be conducted under representative conditions and in accordance with Rule 012: *Noise Control*. Within one year of the project commencing operations, ATCO Pipelines shall file a report with the Commission providing measurement data and summarizing the results of the post-construction CSL survey.

174. The Commission grants ATCO Pipelines' request for Class A2 adjustments to the permissible sound levels at the receptors for the YP Compressor Station. The Commission finds that the NIA reasonably applied Class A2 adjustments, which account for the elevated ambient sound levels from nearby roadways, in assessing compliance. Specifically, the Commission approves the nighttime Class A2 adjustments of +3 dBA for R01 and +10 dBA for R13. The Commission finds that the NIA for the YP Compressor Station meets the requirements of Rule 012 and accepts the conclusion that the YP Compressor Station with a Class A2 adjustment is expected to comply with permissible sound levels. Given that the predicted nighttime cumulative sound levels for both design scenarios at the most affected receptor, R01, have a zero-compliance margin with the maximum nighttime Class A2-adjusted permissible sound level, the Commission imposes the following condition of approval:

- e. ATCO Gas and Pipelines Ltd. shall conduct a post-construction comprehensive sound level (CSL) survey for the Yellowhead Pipeline Compressor Station, including an evaluation of low frequency noise, at Receptor R01. The post-construction CSL survey must be conducted under representative conditions and in accordance with Rule 012: *Noise Control*. Within one year of the project commencing operations, ATCO Pipelines shall file a report with the Commission providing measurement data and summarizing the results of the post-construction CSL survey.

175. The Commission expects ATCO Pipelines to uphold its commitments¹¹⁸ regarding construction noise mitigations including advising nearby residents of significant noise-causing activities and scheduling construction activities to reduce disruption to residents if possible. If ATCO Pipelines receives a noise complaint from a nearby resident after the pipeline, compressor station and control station are in operation, the Commission expects ATCO Pipelines to make every reasonable attempt to resolve the complaint in a timely manner. If ATCO Pipelines is unable to resolve the complaint, Section 5 of Rule 012 sets out the process for residents to file a complaint directly with the Commission.

5.7 What are the project benefits?

176. In Decision 29318-D01-2025, the Commission found that ATCO Pipelines had demonstrated the need for the project, which is to enable additional natural gas supply to enter the Integrated Alberta System through increased system capacity. The Commission also found that the configuration identified as Alternative 4.3 is the best solution to meet the need, from both a technical and economic perspective. The current application seeks approval to construct and operate the project which provides a benefit by meeting the previously approved need.

177. In the current application, ATCO Pipelines pointed to the following project benefits, which were also identified in the need application:

- Enabling more than \$20 billion of investment in Alberta.
- Generating upstream royalties and tax revenues.
- Providing long-term, stable access for Western Canadian natural gas producers.
- Driving expansion in petrochemicals, hydrogen and value-added industries.
- Ensuring a safe, reliable natural gas supply for Alberta's growing population and economy.

178. The Commission continues to find that ATCO Pipelines has established that these are benefits of the project. In addition, the Commission finds that ATCO Pipelines' stated benefits associated with the construction and operation of the pipeline will result in economic benefits. Specifically, ATCO Pipelines' evidence is that the construction and operation of the project will create employment opportunities, with approximately 2,000 direct construction jobs. ATCO Pipelines also indicated that it will provide career opportunities for Indigenous community members through programs like the ATCO Indigenous scholarship program and the pipeline inspector training program.¹¹⁹

6 Conclusion on the Yellowhead Pipeline Project

179. In accordance with Section 17 of the *Alberta Utilities Commission Act*, the Commission must consider whether approval of the Yellowhead Pipeline is in the public interest having regard to its social and economic effects and its effects on the environment. The Commission

¹¹⁸ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, Section 6.4, PDF page 84.

¹¹⁹ Exhibit 30422-X0015, ATCO Pipelines Yellowhead Pipeline Project Facility Application, PDF page 66.

considers that the public interest will be largely met if an application complies with existing regulatory standards, and the project's public benefits outweigh its negative impacts.

180. The Commission is satisfied that ATCO Pipelines' application meets the requirements of Rule 007. ATCO Pipelines conducted a comprehensive participant involvement program which generally achieved the purposes of consultation and notification. The Commission finds that ATCO Pipelines' development and assessment of the applied-for preferred route was reasonable and resulted in a superior route compared to the options considered. The applied-for preferred route has the strongest support from stakeholders, including landowners and Indigenous communities, is comparatively cost-effective and offers the most direct, technically feasible solution from a constructability and operational perspective, to meet the growing demand on the Integrated Alberta System. The preferred route has comparatively lower environmental impacts, particularly due to its alignment with existing linear disturbances, ATCO Pipelines' commitment to adhere to its environmental protection plans, and the Commission's findings that all referenced mitigations adequately address the identified environmental impacts caused by this project.

181. The Commission has found that the project will result in some adverse residual environmental effects, but that these effects should not be significant if ATCO Pipelines follows the proposed mitigations and best practices when it conducts project activities. The Commission has also found that because of ATCO Pipelines' commitments to limit adverse residual environmental effects, cumulative environmental effects due to the project are not expected.

182. The Commission has found that the duty to consult Samson Cree is triggered by the project, no higher than the middle of the spectrum. Any potential infringement on Samson Cree's Aboriginal and treaty rights is expected to be low. The duty to consult was fulfilled through ATCO Pipelines' engagement with Samson Cree and the regulatory process.

183. The noise impact assessments conducted for the Yellowhead Pipeline East Control Station and the Yellowhead Pipeline Compressor Station adequately address the project noise impacts and meet the requirements set out in Rule 012, subject to the conditions imposed by the Commission.

184. The Commission has weighed the adverse impacts arising from the project against the project's benefits, including the social and economic benefits associated with enabling additional natural gas supply to enter the Integrated Alberta System through increased system capacity, and providing employment opportunities during construction and operation of the pipeline. Overall, the Commission finds that any adverse impacts associated with the project are outweighed by the benefits of the project and that the project is therefore in the public interest.

185. Before issuing the licence to construct and operate the pipeline, the Commission requires a licence number to be generated through the Alberta Energy Regulator's OneStop system. After ATCO Gas and Pipelines Ltd. provides the pipeline licence number, the Commission will issue its licence. Accordingly, the Commission's approval is also subject to the following condition:

- f. ATCO Gas and Pipelines Ltd. shall obtain a pipeline licence number for the new pipeline from the Alberta Energy Regulator's OneStop system and submit confirmation of the licence number to the Commission within 30 days of the licence number assignment.

7 **Decision**

186. The Commission finds that the application is in the public interest in accordance with Section 17 of the *Alberta Utilities Commission Act*. Under sections 3.1(2) and 6 of the *Pipeline Act* and Section 4.1 of the *Gas Utilities Act*, the Commission approves the application to construct and operate the gas utility pipeline for the Yellowhead Pipeline Project. The licence will be issued following receipt of the new pipeline licence number from the Alberta Energy Regulator's OneStop system.

Dated on July 17, 2026.

Alberta Utilities Commission

Kristi Sebalj
Vice-Chair

Vera Slawinski
Commission Member

Michael Arthur
Commission Member

Appendix A – Summary of Commission conditions of approval in the decision

This section is intended to provide a summary of all conditions of approval specified in the decision for the convenience of readers. Conditions that require subsequent filings with the Commission will be tracked as directions in the AUC's eFiling System. In the event of any difference between the conditions in this section and those in the main body of the decision, the wording in the main body of the decision shall prevail.

The following are conditions of Decision 30422-D01-2026 that require subsequent filings with the Commission and will be included as conditions of the licence issued to ATCO Gas and Pipelines Ltd.

- a. ATCO Gas and Pipelines Ltd. shall:
 - i. File, within 30 days of this decision, a schedule of expected updates to the environmental alignment sheet that captures major project milestones and the timeline for environmental survey efforts; and
 - ii. In accordance with the schedule filed in (i), file the updated environmental alignment sheets with the Commission. The updated environmental alignment sheets shall be accompanied by a brief memo summarizing the changes.
- b. ATCO Gas and Pipelines Ltd. shall file with the Commission a report, no more than one year following substantial completion of project construction, describing its pre-construction, construction and post-construction Indigenous monitoring program with the Samson Cree Nation. The report must include, at a minimum, a summary of (a) engagement activities undertaken with Samson Cree to determine opportunities for their participation in monitoring activities; (b) the types of monitoring activities undertaken by Samson Cree; (c) the capacity (e.g., training, financial, information sharing) that ATCO Pipelines provided to Samson Cree to help them meaningfully participate in the Indigenous monitoring program; and (d) a summary of any sites identified and mitigations that were undertaken to avoid or minimize (to the extent reasonably possible) project effects on traditional land use sites, resources or activities. ATCO Pipelines should provide a copy of the report to Samson Cree at the same time that it is filed with the Commission.
- c. Before the project commences operations, ATCO Gas and Pipelines Ltd. shall implement the noise mitigation measures identified in the final noise impact assessment, or alternative measures that provide equal or greater acoustic performance, to ensure the Yellowhead Pipeline East Control Station complies with Rule 012: *Noise Control*. On or before the date the project commences operations, ATCO Pipelines must file a submission with the Commission detailing the mitigation measures it has implemented.

- d. ATCO Gas and Pipelines Ltd. shall conduct a post-construction comprehensive sound level (CSL) survey for the Yellowhead Pipeline East Control Station, including an evaluation of low frequency noise, at receptor R01. The post-construction CSL survey must be conducted under representative conditions and in accordance with Rule 012: *Noise Control*. Within one year of the project commencing operations, ATCO Pipelines shall file a report with the Commission providing measurement data and summarizing the results of the post-construction CSL survey.
- e. ATCO Gas and Pipelines Ltd. shall conduct a post-construction comprehensive sound level (CSL) survey for the Yellowhead Pipeline Compressor Station, including an evaluation of low frequency noise, at receptor R01. The post-construction CSL survey must be conducted under representative conditions and in accordance with Rule 012: *Noise Control*. Within one year of the project commencing operations, ATCO Pipelines shall file a report with the Commission providing measurement data and summarizing the results of the post-construction CSL survey.
- f. ATCO Gas and Pipelines Ltd. shall obtain a pipeline licence number for the new pipeline from the Alberta Energy Regulator's OneStop system and submit confirmation of the licence number to the Commission within 30 days of the licence number assignment.

Appendix B – Proceeding participants

Name of organization (abbreviation) Name of counsel or representative
ATCO Gas and Pipelines Ltd. (ATCO Pipelines) T. Myers S. Munro J. Eadie
Office of the Utilities Consumer Advocate (UCA) K. Rutherford C. Auch
Samson Cree Nation G. Reeder
Louis Bull Tribe (LBT) A. Lalji
Whitefish (Goodfish) Lake First Nation #128 B. Feltmate
Trans Mountain Pipeline ULC J. Wuest
S. and M. Gar McMaster W. Chabaniuk E. Rosales - Market Maker Agriculture Inc. / Manderley Turf Products S. Myers K. and T. Kozak R. Syvenky – BEAR Land Services D. Misik – Papaschase First Nation Band 136 Association

Alberta Utilities Commission Commission panel K. Sebalj, Vice-Chair V. Slawinski, Commission Member M. Arthur, Commission Member Commission staff H. Shamji (lead application officer) R. Watson (Commission counsel) J. Graham (Commission counsel) N. Behal D. Rennie A. Spyce J. Turpin-Quaye

Appendix C – Oral hearing – registered appearances

Name of organization (abbreviation) Name of counsel or representative
ATCO Gas and Pipelines Ltd. (ATCO Pipelines) T. Myers S. Munro J. Eadie
Office of the Utilities Consumer Advocate (UCA) K. Rutherford C. Auch
Samson Cree Nation G. Reeder