



AUDITOR'S REPORT

To the Chairman of the National Energy Board

I have audited the statement of financial position of the National Energy Board for the year ended December 31, 2003 and the statements of operations and surplus of Canada and cash flows for the year then ended. These financial statements are the responsibility of the Board's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statements presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Board as at December 31, 2003 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Further, in my opinion, the transactions that have come to my notice during my audit of the financial statements have, in all significant respects, been in accordance with Section 24.1(1) of the *National Energy Board (NEB) Act* and the *NEB Cost Recovery Regulations*.

Roger Simpson, FCA
Principal
for the Auditor General of Canada

Edmonton, Canada
February 11, 2004



11 February 2004

Management's Responsibility for Financial Reporting

The management of the National Energy Board is responsible for the preparation of all information included in its financial statements. The accompanying statements have been prepared in accordance with Canadian generally accepted accounting principles. Management of the Board is responsible for the integrity and objectivity of the information in these financial statements. Some of the information in the financial statements is based on management's best estimates and judgment. Management has determined such amounts on a reasonable basis in order to ensure that the financial information is presented fairly in all material respects. The financial statements also include certain expenditures supplied by government central agencies which are based on estimates. To fulfill its accounting and reporting responsibilities on cost recovery, the Board maintains a weekly time reporting system that records the efforts of all staff among the four regulated commodities. In accordance with the *National Energy Board Cost Recovery Regulations* (the *Regulations*), the Board's costs are allocated to the commodities on the basis of the preceding fiscal year's accumulated time.

The Board maintains internal financial and management systems and practices which are designed to provide reasonable assurance that reliable financial and non-financial management information is available on a timely basis, and that assets are acquired economically, used to further the Board's aims, and protected from loss or unauthorized use. The Board's management recognizes its responsibility for conducting the Board's affairs in accordance with the requirements of applicable laws of Canada using sound business principles, and for maintaining standards of conduct that are appropriate to the public interest.

Management of the Board believes that the system of internal controls and approved policies, practices and procedures are designed to provide reasonable assurance that the operations are in compliance with applicable laws and conform to a high standard of business conduct. Management also seeks to ensure the objectivity and integrity of data in its financial statements by the careful selection, training and development of qualified staff, by organizational arrangements that provide appropriate divisions of responsibility, and by communications programs aimed at ensuring that regulations, policies, standards and managerial authorities are understood throughout the Board.

The Auditor General of Canada annually provides an independent objective audit for the purpose of expressing an opinion on these financial statements in accordance with the significant provisions of the *Regulations*. The Board is responsible for the accuracy of billings to companies within the commodities.

A handwritten signature in black ink, appearing to read "Jim Donihee".

Jim Donihee
Chief Operating Officer

A handwritten signature in black ink, appearing to read "Valérie J. Katarey".

Valérie J. Katarey
Business Leader, Corporate Services and
Senior Financial Officer

NATIONAL ENERGY BOARD
Statement of Financial Position

As at December 31
(In thousand of dollars)


| | 2003 | 2002 |
|------------------------------|------------------------|------------------------|
| Assets | | |
| Current Assets: | | |
| Accounts Receivable (Note 4) | \$ 9,768 | \$13,809 |
| Advances | 22 | 23 |
| GST Refundable Advance | 365 | 517 |
| Prepayments | <u>113</u> | <u>86</u> |
| | <u>10,268</u> | <u>14,435</u> |
| Other Assets: | | |
| Capital Assets (Note 5) | 684 | 594 |
| Work in Progress – Software | <u>85</u> | <u>17</u> |
| TOTAL ASSETS | <u>\$11,037</u> | <u>\$15,046</u> |

Liabilities and Surplus of Canada

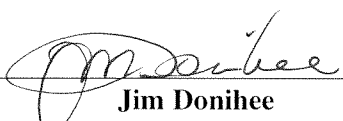
| | | |
|--|------------------------|-------------------------|
| Current Liabilities: | | |
| Accounts payable and accrued liabilities | \$ 940 | \$ 839 |
| Contractors' holdback | 41 | 24 |
| Employee leave pay | 1,230 | 1,272 |
| Employee severance benefits (Note 8) | <u>427</u> | <u>328</u> |
| | <u>2,638</u> | <u>2,463</u> |
| Long Term Liability: | | |
| Employee severance benefits (Note 8) | 4,512 | 4,534 |
| Surplus of Canada | <u>3,887</u> | <u>8,049</u> |
| TOTAL LIABILITIES AND SURPLUS OF CANADA | <u>\$11,037</u> | <u>\$ 15,046</u> |

Commitments (Note 10)

Approved by:



Kenneth W. Vollman
Chairman & Chief Executive Officer



Jim Donihee
Chief Operating Officer

The accompanying notes form an integral part of the financial statements.

NATIONAL ENERGY BOARD
Statement of Operations and Surplus of Canada

Year Ended December 31
(In thousand of dollars)

| | 2003 | 2002 |
|--|------------------------|------------------------|
| REVENUE: | | |
| Regulatory revenue | \$37,326 | \$38,066 |
| Miscellaneous revenue | <u>139</u> | <u>218</u> |
| TOTAL REVENUE | <u>37,465</u> | <u>38,284</u> |
| EXPENSES: | | |
| Salaries and wages | 22,830 | 21,698 |
| Employee benefits | 6,204 | 6,298 |
| Office rental | 3,669 | 3,690 |
| Professional and special services | 2,801 | 4,094 |
| Transportation and communication | 2,404 | 2,300 |
| Materials and supplies | 1,283 | 1,801 |
| Equipment rentals | 662 | 524 |
| Repairs and upkeep | 432 | 421 |
| Information | 348 | 235 |
| Amortization expense – capital assets | 172 | 94 |
| Miscellaneous | <u>101</u> | <u>179</u> |
| TOTAL EXPENSES | 40,906 | 41,334 |
| DEDUCT: Net recoverable operating costs (Note 6) | <u>37,465</u> | <u>38,284</u> |
| NET NON-RECOVERABLE EXPENSES | <u>\$ 3,441</u> | <u>\$ 3,050</u> |
| Net operating results of the year | \$ (3,441) | \$ (3,050) |
| Surplus of Canada, beginning of year | 8,049 | (603) |
| Services provided without charge from other Government departments | 5,452 | 5,314 |
| Net cash provided (received) by Government | <u>(6,173)</u> | <u>6,388</u> |
| Surplus of Canada, end of year | <u>\$ 3,887</u> | <u>\$ 8,049</u> |

The accompanying notes form an integral part of the financial statements.

NATIONAL ENERGY BOARD
Statement of Cash Flows

Year Ended December 31
(In thousand of dollars)

| | 2003 | 2002 |
|--|------------------------|-------------------------|
| Operating Activities: | | |
| Non-recoverable expenses | \$(3,441) | \$(3,050) |
| Non-Cash Items: | | |
| Amortization of capital assets | 172 | 94 |
| Services provided without charge by other Government departments | <u>5,452</u> | <u>5,314</u> |
| | <u>2,183</u> | <u>2,358</u> |
| Statement of Financial Position Adjustments: | | |
| Change in accounts payable and accrued liabilities | 101 | 216 |
| Change in contractors' holdback | 17 | 11 |
| Change in employee leave pay | (42) | (127) |
| Change in employee severance benefits | 77 | 322 |
| Change in accounts receivable | 4,041 | (8,133) |
| Change in advances and prepayments | (26) | (75) |
| Change in GST refundable advance | <u>152</u> | <u>(255)</u> |
| | <u>4,320</u> | <u>(8,041)</u> |
| Cash (used in) provided by operating activities | <u>6,503</u> | <u>(5,683)</u> |
| Investing Activities: | | |
| Acquisition of capital assets | <u>(330)</u> | <u>(705)</u> |
| NET CASH (PROVIDED) RECEIVED BY GOVERNMENT | <u>\$ 6,173</u> | <u>\$(6,388)</u> |

The accompanying notes form an integral part of the financial statements.

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

1. Authority, objectives and operations

The National Energy Board (NEB) is an independent regulatory agency, established in 1959 under the *National Energy Board Act* and is designated as a department and named under Schedule I.1 of the *Financial Administration Act*, reporting to Parliament through the Minister of Natural Resources.

The NEB regulates the following specific aspects of the energy industry:

- a) the construction and operation of international and interprovincial pipelines;
- b) the construction and operation of international and designated interprovincial power lines;
- c) traffic, tolls and tariffs of international and interprovincial pipelines;
- d) exports of oil, gas and electricity and imports of gas and oil; and
- e) oil and gas activities on frontier lands not subject to a federal/provincial accord.

Other responsibilities of the NEB include providing advice to the Minister of Natural Resources Canada on the development and use of energy resources.

NEB's corporate purpose is to promote safety, environmental protection and economic efficiency in the Canadian public interest within the mandate set by Parliament in the regulation of pipelines, energy development and trade. This principle guides the NEB in carrying out and interpreting its regulatory responsibilities. The companies that are regulated by the Board create wealth for Canadians through the transport of oil, natural gas and natural gas liquids, and through the export of hydrocarbons and electricity. As a regulatory agency, the Board's role is to help create a framework which allows these economic activities to occur when they are in the public interest.

The NEB operates in a manner similar to a civil court. For major applications and inquiries, the Board holds public hearings at which applicants and interested parties have full rights of participation.

The NEB has the authority to charge those companies it regulates, in accordance with sub-section 24.1(1) of the *National Energy Board Act*, the total costs attributable to the NEB's operations in carrying out its related responsibilities.

Under the *National Energy Board Cost Recovery Regulations* (the *Regulations*) approved by the Treasury Board, the National Energy Board recovers from the companies it regulates the cost of its operations effective 1 January 1991. It has the delegated authority to determine what costs will be excluded from program expenditures for cost recovery purposes.

The NEB operates within the Consolidated Revenue Fund (CRF). The CRF is administered by the Receiver General for Canada. All cash received by the NEB is deposited to the CRF and all cash disbursements made by the NEB are paid from the CRF.

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

2. Significant accounting policies and provisions of the Regulations

a) These financial statements have been prepared on an accrual basis of accounting in accordance with Treasury Board of Canada Accounting Standards based on Canadian generally accepted accounting principles.

b) Employee Future Benefits:

Pension Benefits

The NEB's eligible employees participate in the Public Service Superannuation Plan administered by the Government of Canada. Both the employees and the Board contribute to the cost of the Plan. These contributions represent the total pension obligations of the Board and are charged to operations on a current basis. The NEB is not currently required to make contributions with respect to actuarial deficiencies of the Public Service Superannuation Account.

Employee Severance Benefit

The NEB is required to recognize certain non-pension post-employment benefits over the periods which employees render services to the NEB. Employees are entitled to specified benefits on termination as provided for under conditions of employment, through a severance benefit plan. Employee severance benefits are calculated using information derived from the results of the actuarially determined liability for employee severance benefits for the Government as a whole. Employee severance benefits on cessation of employment represent obligations of the NEB that are normally funded through future Parliamentary appropriations.

c) Services Provided Without Charge by Other Government Departments:

Amounts for services provided without charge by other Government departments are recorded as operating expenses by the NEB.

d) Receivables:

Receivables are stated at amounts expected to be ultimately realized. A provision is made for receivables where recovery is considered uncertain.

e) Capital Assets:

Capital assets with a cost of placing in service of \$10,000 per unit or more are capitalized at cost. Amortization is calculated over their estimated useful lives on a straight-line basis as follows:

| | |
|---|----------|
| • Furniture and Equipment | 10 Years |
| • Informatics Hardware (Computer Servers & Accessories) | 5 Years |
| • Informatics Software (Developed In-House) | 5 Years |
| • Motor Vehicles | 5 Years |

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

f) Work in Progress – Software:

The capitalization of software costs has been performed prospectively as of 1 April 2002. Any costs incurred prior to this date have been expensed. Software that is not yet in service will form the basis of the Software Work in Progress account.

g) Non-recoverable Costs:

The Board approved the exclusion of costs related to the regulation of exploration for and development of oil and gas in the Frontier Lands, and therefore, these costs are non-recoverable. These amounts are included in the determination of the Surplus of Canada account.

h) Cost Allocation:

In accordance with Sections 12 and 13 of the *Regulations*, the recoverable costs for a given calendar year are allocated to the gas, oil and electricity commodities and commodity pipelines on the basis of the actual time spent by Board members and employees during the preceding fiscal year (April 1 to March 31).

i) Net Cash Provided (received) by Government:

Net cash provided by Government or the regulated companies is the difference between all cash receipts and all cash disbursements including transactions between departments.

j) Measurement Uncertainty:

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. At the time of preparation of these statements, management believes the estimates and assumptions to be reasonable. Employee severance benefits, the valuation of capital assets and services provided without charge by other government departments are the most significant items where estimates are used. Actual amounts could differ from the current estimates. These estimates are reviewed annually and as adjustments become necessary, they are recognized in the financial statements in the period in which they become known.

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

3. Northern Gas Project Secretariat (NGPS)

The concept of the Northern Gas Project Secretariat was first unveiled in the *Cooperation Plan*, a document produced by the Northern Pipeline Environmental Impact Assessment and Regulatory Chairs' Committee in June 2002.

This Plan describes the framework that the authorities with environmental impact assessment and regulatory mandates, called the Agencies, will follow to implement coordinated environmental impact assessment and regulatory processes for a proposed major northern gas pipeline project and associated developments. It supports the exploration of potential areas and outlines methods of cooperation that will avoid duplication and provide clarity and certainty of process for the public and potential proponents.

In June 2003, the Mackenzie Valley Producers Group filed the *Preliminary Information Package* (PIP), which triggered the environmental impact assessment and regulatory review process to commence. This step led to the opening of the Northern Gas Project Secretariat.

The Northern Gas Project Secretariat office was officially opened in December 2003. With offices in Yellowknife and Inuvik, staff at the Project Secretariat will help northerners and interested public effectively participate in the review processes.

According to Treasury Board submission approved on December 1, 2003, the operating costs of NGPS incurred by NEB are recoverable under the *National Energy Board Act/Part III/NR-7*. The Secretariat functions are classified as part of the application process of the Act. Included in the financial statements are NGPS costs for 2003 in the amount of \$126,079.

4. Accounts Receivable

| | <u>2003</u> | <u>2002</u> |
|---------------------------------|------------------------|------------------------|
| External Parties | \$12,618 | \$16,722 |
| Other Government Departments | <u>66</u> | <u>3</u> |
| Sub-total | 12,684 | 16,725 |
| Less: | | |
| Allowance for Doubtful accounts | <u>(2,916)</u> | <u>(2,916)</u> |
| TOTAL | <u>\$ 9,768</u> | <u>\$13,809</u> |

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

5. Capital Assets

| Cost: | January 1 2003 | Additions/ Amortization | December 31 2003 |
|---|-------------------|----------------------------|---------------------|
| Furniture and equipment | \$ 13 | \$ 0 | \$ 13 |
| Informatics Hardware (Computer Servers & Accessories) | 207 | 28 | 235 |
| Informatics Software (Developed In-House) | 468 | 209 | 677 |
| Motor Vehicles | 0 | 25 | 25 |
| Sub-Total | 688 | 262 | 950 |
| Accumulated amortization: | | | |
| Furniture and equipment | 1 | 2 | 3 |
| Informatics Hardware (Computer Servers & Accessories) | 42 | 34 | 76 |
| Informatics Software (Developed In-House) | 51 | 132 | 183 |
| Motor Vehicles | 0 | 4 | 4 |
| Sub-Total | 94 | 172 | 266 |
| Net book value | \$594 | \$ 90 | \$ 684 |

6. Allocation of Net Recoverable Operating Costs

The distribution of recoverable operating costs to the industry is based on the 2001-2002 fiscal year allocation of the officers and staff time of the Board:

| | | |
|-----------------------|---------|------------------------|
| Gas | 64.344% | \$24,009 |
| Oil | 24.496% | 9,140 |
| Electricity | 11.160% | 4,164 |
| Commodity Pipelines | | 13 |
| Miscellaneous revenue | | <u>139</u> |
| TOTAL | | <u>\$37,465</u> |

7. Billing Adjustment

| | <u>2003</u> | <u>2002</u> | <u>2001</u> |
|------------------------------------|---------------|-----------------|-----------------|
| Recoverable Operating Costs | \$37,465 | \$38,284 | \$32,472 |
| Deduct: Provisional Billing | (37,294) | (32,038) | (31,363) |
| Billing Adjustment | <u>\$ 171</u> | <u>\$ 6,246</u> | <u>\$ 1,109</u> |

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

The billing adjustment represents the difference between the provisional billing and the actual recoverable expenditures. In accordance with Section 19 of the *National Energy Board Cost Recovery Regulations*, the billing adjustment of \$171 for the current year and \$6,246 for the prior year will be applied to the provisional billings of 2005 and 2004 respectively. The 2001 billing adjustments of \$1,109 has been applied to the 2003 provisional billings.

8. Employee Benefits

Pension Benefits

The Public Service Superannuation Plan required the NEB to contribute at a rate of 2.14 times the employees' contributions (2002 – 2.14). Employer contributions to the Plan during the year amounted to \$3,182 (2002 - \$3,272).

Severance Benefits

The NEB provides severance benefits to its employees. This benefit plan is not pre-funded and thus has no assets, resulting in a plan deficit equal to the accrued benefit obligation. Information about the plan is as follows:

| | <u>2003</u> | <u>2002</u> |
|---|----------------|----------------|
| Accrued benefit obligation, beginning of year | \$4,862 | \$4,540 |
| Expense for the year | 672 | 757 |
| Benefits paid during the year | <u>(595)</u> | <u>(435)</u> |
| Accrued benefit obligation, end of year | <u>\$4,939</u> | <u>\$4,862</u> |
| Short-term portion | \$ 427 | \$328 |
| Long-term portion | <u>4,512</u> | <u>4,534</u> |
| Total accrued benefit obligation | <u>\$4,939</u> | <u>\$4,862</u> |

9. Related Party Transactions

The Board is related in terms of common ownership to all Government of Canada departments, agencies, and Crown corporations. The Board enters into transactions with these entities in the normal course of business and on normal trade terms applicable to all individuals and enterprises except that certain services, as defined previously, are provided without charge.

During the year, the Board received services provided without charge, the value of which are estimated and recorded in the financial statements as follow:

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

| | <u>2003</u> | <u>2002</u> |
|---|-----------------------|-----------------------|
| Accommodations provided by Public Works and Government Services Canada | \$3,668 | \$3,665 |
| Payroll and banking services provided by Public Works and Government Services Canada | 16 | 16 |
| Contributions covering the employer's share of employees medical and dental insurance premiums provided by Treasury Board Secretariat | 1,723 | 1,588 |
| Audit services provided by the Office of the Auditor General of Canada | <u>45</u> | <u>45</u> |
| TOTAL – Other Government Department Costs | <u>\$5,452</u> | <u>\$5,314</u> |

10. Commitments

The Board has a ten-year occupancy lease with Public Works and Government Services Canada for office building space in Calgary, Alberta. The lease agreement provides for an annual rent of \$3,655 effective 1 September 1998. The actual rent for 2003 is \$3,668.

In addition to the occupancy lease the NEB also has other operating leases and service contracts.

Future commitments are as follows:

| | |
|---------------------|----------|
| 2004 | \$ 4,159 |
| 2005 | 3,825 |
| 2006 | 3,825 |
| 2007 | 3,825 |
| 2008 and thereafter | 2,593 |

11. Parliamentary appropriations

The Government of Canada funds the expenses of the NEB through Parliamentary appropriations. The majority of these expenses are subsequently recovered from the companies regulated by the NEB, and are deposited in the Consolidated Revenue Fund of the Government of Canada.

Expenses funded by Parliamentary appropriation are not necessarily the same as those recognized in the NEB's statement of operations because appropriations are provided on a modified cash basis while the NEB's expenses are recorded on the accrual basis. The NEB's use of Parliamentary appropriations during the year ended December 31, 2003 was as follows:

NATIONAL ENERGY BOARD
Notes to the Financial Statements
For the year ended December 31, 2003
(thousands of dollars)

| | <u>2003</u> | <u>2002</u> |
|---|-----------------|-----------------|
| Total expenses | \$40,906 | \$41,334 |
| Less: Expenses not funded by parliamentary appropriations | | |
| Amortization | (172) | (94) |
| Services provided without charge by other Government departments | (5,452) | (5,314) |
| Change in employee severance benefits | (77) | (322) |
| Change in employee leave pay accrual | 42 | 127 |
| Add: Acquisition of capital assets | <u>330</u> | <u>705</u> |
| Parliamentary appropriations used | <u>\$35,577</u> | <u>\$36,436</u> |