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February 22, 2006

File No. 05 0027

**Via Fax**

National Energy Board  
444 Seventh Avenue SW  
Calgary, Alberta T2P 0X8

**Attention: Michel A. Mantha**

Dear Mr. Mantha:

**Re: Review process recommendation to Minister of Environment  
Enbridge Gateway Project**

We are counsel for the Carrier Sekani Tribal Council with respect to the proposed Enbridge Gateway project (the "Project"). We have just been informed by NEB legal counsel that the NEB has made its recommendation to the Minister of the Environment that the Project be assessed by a Joint Review Panel.

This decision was apparently made February 9, 2006. If so, it was made without consultation with the Carrier Sekani Tribal Council. It was made despite our client's clear written request that the Carrier Sekani Tribal Council be consulted before any steps were taken toward this decision. I refer you to Chief Pierre's letter of January 12, 2006. This decision was made without even the courtesy of a response to Chief Pierre's letter.

The Carrier Sekani Tribal Council was clear in its request to be consulted before the NEB made a determination of its position on joint review -- a decision with statutory consequences that will significantly impact the assessment and decision-making process for this Project.

Nothing in respect of the NEB recommendation is currently posted on the public registry for this Project. However, if our information is correct, the NEB has, as a Crown agency, already failed in its constitutional obligations to the Carrier Sekani Tribal Council, and our clients may be required to bring legal action in Federal Court.

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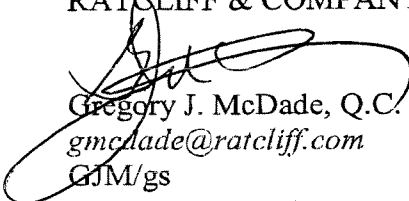
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Accordingly, we request that the NEB redact its recommendation to the Minister of the Environment, so as to allow the NEB an opportunity to consult with our client and take those consultations into account in the NEB's full deliberation on the matter.

Yours truly,  
RATCLIFF & COMPANY LLP



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GJM/gs

cc: The Honourable Rona Ambrose, Minister of the Environment

cc: Anne Sam, Carrier Sekani Tribal Council