

March 31, 2025

Canada Energy Regulator  
Suite 210, 517 – Tenth Avenue SW  
Calgary, AB T2R 0A8

**Re: Canada Energy Regulator - OPR Review**

To Whom it May Concern,

Kingston Midstream Westspur Limited and Kingston Midstream Virden Limited (Kingston Midstream) have prepared a joint submission in response to the Canada Energy Regulator's (CER) review of the Onshore Pipeline Regulations (OPR). As a responsible operator, we appreciate the opportunity to provide feedback in this review and value the CER's commitment to safety, environmental protection, and Indigenous engagement. We wish to express the following high level key considerations regarding the proposed review and potential updates to the OPR. Additionally, specific responses to the OPR topic papers have been provided under separate cover.

**1. Current Regulations Are Effective**

The existing OPR framework has proven to be robust and effective in governing pipeline operations across Canada. The regulations are well-established, comprehensive, and have facilitated a high standard of safety and operational excellence within the industry. We are concerned that revising the OPR may result in unnecessary complexities, administrative burdens, and regulatory uncertainty. In our view, the "if it isn't broken, don't fix it" principle should guide this process. While we recognize that modernization of the OPR may be required in certain instances, the bulk of these changes could be addressed through Guidance documents and not changes within the Regulations.

**2. Guidance Documents vs. Regulation**

Many of the changes the CER aims to address, including the integration of evolving best practices and stakeholder expectations, are better suited for inclusion in Guidance documents rather than enshrined in regulation. Guidance documents provide flexibility to adapt to new information and evolving industry conditions without the time-intensive process of regulatory amendments. By maintaining the OPR as a stable foundation and using guidance documents to address emerging needs, the CER can ensure that regulations remain relevant and practical over time.

**3. Challenges of Incorporating Indigenous Requirements into the OPR**

Kingston Midstream recognizes and respects the importance of meaningful Indigenous engagement in pipeline projects and operations. However, embedding detailed Indigenous engagement requirements directly into the OPR may present challenges, particularly given the diversity of Indigenous communities and contexts across Canada and the ever-evolving consultation environment. Such an approach risks



introducing rigid requirements that may not reflect the specific needs or preferences of individual communities. We recommend that Indigenous engagement practices continue to be guided by high-level principles within the OPR and further supported by flexible, context-sensitive Guidance documents.


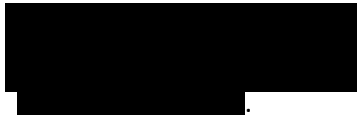
#### **4. Avoiding Regulatory Inflexibility**

One of the strengths of the current OPR framework is its ability to adapt to industry advancements without frequent amendments. Embedding prescriptive requirements within the regulations may inadvertently hinder innovation and responsiveness to technological developments. It is critical to ensure that any updates to the OPR do not undermine this adaptability or impose undue burdens on operators.

In conclusion, Kingston Midstream supports the CER's overarching goals of enhancing safety, environmental stewardship, and Indigenous engagement. However, we strongly encourage the CER to consider whether changes are truly necessary within the regulatory framework itself or if they are better addressed through supplementary guidance. The balance between regulatory stability and operational flexibility is essential for fostering continued excellence within Canada's pipeline industry.

We appreciate the opportunity to share our perspectives and look forward to engaging further in the review process. Should you have any questions or require additional information, please do not hesitate to contact us.

Yours sincerely,

  
Kingston Midstream Limited  
