

Submission to the Commission of Enquiry Respecting the Muskrat Falls Project with respect to the interpretation of the Terms of Reference

I wish to respond to the public notice seeking submissions with respect to the interpretation of the Terms of Reference for the Commission of Enquiry Respecting the Muskrat Falls Project.

I believe the Commissioner should broadly interpret the Terms of Reference so there is a complete review of the project; a review which provides full context for the public policy decision to announce and then sanction the project, for the management of the project, for the short term impacts of the project, and for the project's long term effects on Newfoundland and Labrador taxpayers and ratepayers.

Consistent with, and additional to, the submission by Messrs Penney, Sullivan, and Vardy with respect to the North Spur:

The Terms of Reference state at Section 4 (d):

“whether the government was fully informed and was made aware of any risks or problems anticipated with the Muskrat Falls Project, so that the government had sufficient and accurate information upon which to appropriately decide to sanction the project and whether the government employed appropriate measures to oversee the project particularly as it relates to the matters set out in paragraphs (a) to (c), focusing on governance arrangements and decision-making processes associated with the project.”

I submit for the Commissioner to make the transparent and scientifically founded finding with respect to the risks and problems associated with the structural adequacy of the North Spur to act as an integral component of the reservoir for the Muskrat Falls project, the Commissioner must rely upon the authority granted at Section 8:

“The commission of inquiry may engage the services of persons having special expertise or knowledge including those with financial, engineering and construction expertise.”

In doing so, the Commissioner must have an independent, internationally recognized body of experts in the sampling and analyzing of complex soil

structures report as to the degree to which the risk of failure of the North Spur has been appropriately conveyed to government.

Dated February 9, 2018

Respectfully,

Walter Thomas Beckett

