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MAR 28 2018

SUBMISSION IN SUPPORT OF AN APPLICATION FOR STANDING
TO THE COMMISSION OF INQUIRY RESPECTING THE MUSKRAT FALLS PROJECT

1. The undersigned, Ronald G. Penney, David Vardy and Des Sullivan hereby apply for standing before the Inquiry.
2. Should we be granted standing we will incorporate a company without share capital, to be known as the Muskrat Falls Concerned Citizens Coalition and will retain legal counsel.
3. We have invited the public to support our application and to become members of our organization. A list of more than 200 people who have responded positively is attached. Should the Commission wish to make this list public we ask that the addresses be removed to disclose only the name and city in which the person lives.
4. We all have considerable experience in public service and public policy.
5. Mr. Penney is a retired public servant having served as Deputy Minister of three Departments of the Government of Newfoundland and Labrador and as City Manager of the City of St. John's. He is a lawyer who has taken non-practicing status with the Law Society. He is an Adjunct Professor with the Department of Political Science of Memorial University and has taught, among other courses, Newfoundland and Labrador Public Policy. He has received the Lieutenant Governor's Award for Excellence in Public Administration awarded by the Newfoundland branch of the Institute of Public Administration of Canada
6. Mr. Vardy is also a retired public servant, having served as Clerk of the Executive Council, President of the Marine Institute, Deputy Minister of Fisheries and Chair of the Public Utilities Board. He has

also served as Director of the Public Policy Research Centre of Memorial. During his time with the public service he served as a member of the Newfoundland and Labrador Hydro Board of Directors. He is an Associate with the Harris Centre of Memorial University. He is an economist. He has also received the Lieutenant Governor's Award for Excellence in Public Administration, the Gold Medal Award from the Professional Institute of the Public Service of Canada and an Honorary Doctorate from Memorial University for his contributions to public policy and governance.

7. Mr. Sullivan has served as an Executive Assistant to former Premier Moores and Senior Executive Assistant to former Premier Peckford. He is President of the Sullivan Group of Companies. Since 2012 he has published the Uncle Gnarley Blog which has hosted 600 posts on Newfoundland and Labrador Public Policy, which has a wide readership in the Province.
8. We have, in the last few days, invited like-minded citizens throughout the Province to become members and supporters of the Coalition and we are gratified by the response thus far. A list of those members and supporters is attached.
9. We have been long standing critics of the project since its announcement by former Premier Williams in November of 2010.
10. In early 2011 Mr. Penney and Mr. Vardy asked the the then Minister of Natural Resources, Shawn Skinner, of the Government of Newfoundland and Labrador, to lift the exemption of the Muskrat Falls Project from the authority of the Public Utilities Board.
11. While the Government declined to lift the exemption it did refer the matter to the Board on the question as to whether the Muskrat Falls project or the isolated island option was the lower cost alternative.
12. Mr. Penney and Mr. Vardy participated in the Reference by providing a written brief and making a formal presentation to the Board.

13. The Board, after being refused a request for an extension to allow for it to consider anticipated new cost estimates, declined to answer the question.
14. We have, since 2011, provided our views on the Project, both before and after sanctioning, pointing out the risks of the project to the ratepayers and taxpayers of the Province.
15. Unfortunately our concerns have proved prescient; project costs have ballooned, and have led to this Inquiry.
16. Mr. Penney and Mr. Vardy have collectively and independently written numerous letters to the editor and blog posts, and given numerous interviews to media and have participated in public forums, where invited, to explain our views on the Project. We have also written to Ministers and public officials about various components of the project. Mr. Sullivan, through his blog, Uncle Gnarley, has done the same, and has also provided opportunities for knowledgeable engineers, both signed and anonymous, to critique various aspects of the Project.
17. We have done this because we are concerned about the project and the impacts on our Province and because we believe that in a democracy the true patriot is the one who dissents. This has been done without recompense and has involved the expense of a considerable amount of time and effort to research the project through public records and access to information requests. We, and others who have worked on researching and writing on the project, have amassed a great deal of knowledge about the project and disseminated it to the general public.
18. Mr. Sullivan, at his and others private expense, including that of Mr. Penney and Mr. Vardy, invited Dr. Stig Bernander to examine the North Spur and make a public presentation in St. John's on the potential collapse of the North Spur.
19. For those reasons we believe that our participation, and that of our members and supporters, through our Coalition, some of whom have also done extensive research on the Project, will "further the conduct of the Inquiry" and "contribute to the openness and fairness of the Inquiry."

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David A. Vardy

David A. Vardy,

Des Sullivan

SUBMISSION TO THE COMMISSION OF INQUIRY ON MUSKRAT FALLS

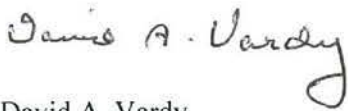
IN SUPPORT OF OUR APPLICATION FOR FUNDING

1. We ask that the Commissioner make a recommendation to the Government of Newfoundland and Labrador supporting funding for legal counsel for the Muskrat Falls Concerned Citizens Coalition.
2. The funds are required in order to retain legal counsel to represent the coalition at the hearings in St. John's and Happy Valley Goose Bay.
3. The funds will be disbursed by the Coalition and will be accounted for in the manner set out below.
4. The undersigned and the members of the coalition will contribute their time, expertise, and research on a volunteer basis, in the same manner as we have during the course of the public debate on the Muskrat Falls Project. We will endeavor through our members and social media to raise additional funds but the amount which can be raised is unknown at this time. Neither Government funding nor privately raised funds will be disbursed to the undersigned or other members or supporters of the Coalition.
5. Because the undersigned and some of our members and supporters have examined all aspects of the project we seek funding for counsel to attend and participate in the entirety of the hearings so that we can assist the Inquiry in all of the matters before it.
6. Our Treasurer will be Des Sullivan, who through one of his companies, Dorset Investments, will provide accounting services on a pro bono basis. The Coalition will have a separate bank account with signing officers being at least two members of the Board of Directors of the Coalition. We will provide a full accounting at the conclusion of the Inquiry.
7. The address of our Treasurer is [REDACTED]. The telephone number is (709) [REDACTED] 989.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ron G. Penney".

Ronald G. Penney

A handwritten signature in black ink, appearing to read "David A. Vardy".

David A. Vardy

A handwritten signature in blue ink, appearing to read "Des Sullivan".

Des Sullivan

AFFIDAVIT IN SUPPORT OF THE APPLICATION OF RONALD G. PENNEY, DAVID A. VARDY
AND DES SULLIVAN FOR FUNDING FOR LEGAL COUNSEL IN SUPPORT OF THEIR
APPLICATION FOR STANDING BEFORE THE COMMISSION OF INQUIRY RESPECTING THE
MUSKRAT FALLS PROJECT

I, Ronald G. Penney, on behalf of the applicants, make oath and state the following:

1. Should we be granted standing before the Inquiry and funding for legal counsel, we will incorporate a company without share capital, called the Muskrat Falls Concerned Citizens Coalition, to supervise our legal counsel and to manage the funding provided to us by the Government of Newfoundland and Labrador and raised by public appeal.
2. We propose to charge only a nominal membership fee so as to not preclude anyone from participating in the Coalition.
3. We would be unable to participate in the Inquiry without funding.
4. We are unable to provide a budget at this time in the absence of information about the length of the public hearings.
5. We have had discussions with Grand Riverkeeper Labrador and the Labrador Land Protectors, and have agreed to cooperate whenever possible to increase efficiency and reduce costs. However, we concluded that it would not be desirable to participate as a single Party.

Rod G. Penney

Ronald G. Penney
Interim Chair.

signed in my presence at St John's NL this 27th day of March, 2017

[Signature]
Witness
2 *Barrister NL*

List of people agreeing to join MFCCC

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44. Michael Collins



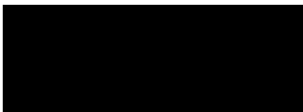
1778-[REDACTED]868

45. Jim Collinson



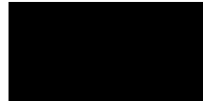
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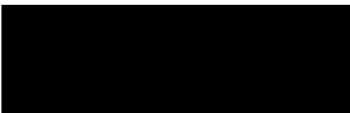


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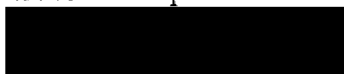

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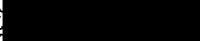
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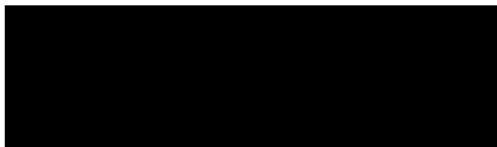
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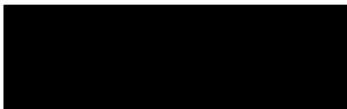
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