



Commission of Inquiry Respecting the Muskrat Falls Project

**STANDING APPLICATION FOR
MUSKRAT FALLS CONCERNED CITIZENS COALITION (TBI)
REPRESENTED BY RONALD G. PENNEY, DAVID VARDY
AND DES SULLIVAN
FOR THE MUSKRAT FALLS INQUIRY**

DECISION

APRIL 6, 2018

LEBLANC, J.:

INTRODUCTION

[1] Ronald G. Penney, David Vardy and Des Sullivan together have applied for standing at this Inquiry on behalf of an entity to be incorporated to be known as the Muskrat Falls Concerned Citizens Coalition. Some 218 people have indicated that they wish to be members of this organization.

[2] All three of the individual applicants on behalf of the entity to be incorporated have been critics of the Muskrat Falls Project for some time. Mr. Penney is a retired public servant who has served in many high level capacities in the government's public service. He is trained as a lawyer. Mr. Vardy has served as Clerk of the Executive Council in the past as well as having senior positions in other government agencies. He is an economist. Mr. Sullivan is a former executive assistant to Premier Frank Moores and Premier Brian Peckford. He is President of the Sullivan Group of Companies and has been publishing the Uncle Gnarley Blog since 2012 dealing with public policy in this Province, including issues involving the Muskrat Falls Project. All three of these individuals have maintained a significant public

presence regarding the Muskrat Falls Project and appear to represent the views of other people in the Province who have concerns emanating from the sanction and construction of this Project. I am satisfied that these three individuals have been writing and researching on this Project for some time and, as a result, could if permitted, assist in the conduct of the Inquiry as well as contributing to openness and fairness.

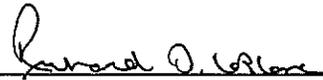
[3] I would note here that these three individuals have done as the Commission has requested as regards joining forces with others of similar interests in making their standing application. In this particular case, as well, it is to be noted that they have an arrangement made with the Grand RiverKeeper Labrador and Labrador Land Protectors groups to work cooperatively with them at the Inquiry should those other parties be granted standing.

[4] I have now considered this application and I am prepared to grant full standing to the Muskrat Falls Concerned Citizens Coalition once it is incorporated, as represented by Mr. Penney, Mr. Vardy and Mr. Sullivan. In doing so, it must be understood that standing is premised on the party being required to comply with the Rules of Procedure for this Commission of Inquiry together with limiting representations, questioning and submissions to those matters within the Commission's mandate as interpreted by me on March 14, 2018. I expect this party, and all other parties, to work cooperatively with Commission co-counsel. I also welcome the agreement to work with Grand Riverkeeper Labrador and the Labrador Land Protectors.

[5] I would also note here that there is another party seeking standing who I believe this group should also work cooperatively with, that being the Consumer Advocate if, in fact, he is ultimately granted standing. Such cooperation will assist in ensuring that the time available will be productive and will avoid unnecessary duplication and cost for the hearings.

[6] Funding has also been requested. While the Muskrat Falls Concerned Citizens Coalition has no revenue, although some funds may be available through memberships, without a recommendation for funding this group would not be able

to participate in the Inquiry. As this group's participation will further the conduct of the Inquiry in my view, I will recommend funding for one counsel as well as reasonable expenses for one counsel and one representative for travel where the hearings are held outside of St. John's. I am not making any recommendation at this time for payment for consultants or other experts as I expect that Commission co-counsel will be marshalling the necessary witnesses and evidence for the hearings in consultation with all parties.



JUSTICE RICHARD D. LEBLANC
COMMISSIONER