

Date : 12/21/2011 11:13:53 AM

From : "Thompson, Robert"

To : "Dalton, Diana (Natural Resources)" , "Kennedy, Jerome"

Subject : RE: PUB Letters - latest draft (9am- DEC 21)

Diana – while Don Burrage has reviewed it would be good to have Tom O'Reilly's view as well. Please consult him on these drafts.

From: Dalton, Diana (Natural Resources)

Sent: Wednesday, December 21, 2011 10:57 AM

To: Thompson, Robert; Kennedy, Jerome

Subject: Fw: PUB Letters - latest draft (9am- DEC 21)

Final draft of PUB and CA letters. Diana

Sent Via BlackBerry

From: Scott, Paul G.

To: Bown, Charles W.; Dalton, Diana (Natural Resources)

Sent: Wed Dec 21 10:47:08 2011

Subject: PUB Letters - latest draft (9am- DEC 21)

<<On the Letterhead of the Minister of Natural Resources >>

<<Addressed to Chair of PUB>>

I am writing further to your letter of 16 December which requested a further extension for the report on Muskrat Falls beyond that of 31 March as communicated in my letter of 12 December.

Government views the timely availability of the Board's report for discussion in the Spring session of the House of Assembly to be critical. We request that the Board adjust its schedule and process to accommodate the new deadline. To assist the process we have issued new guidance to the Consumer Advocate that will focus his role on participating in the processes of the Board rather than undertaking separate studies and consultations. A copy of the letter to the Consumer Advocate is attached.

We recognize and acknowledge the effort of the Board to date on this matter, and that producing a report by 31 March 2012 will require significant effort. As stated in our letter of 12 December, government is prepared to assist in this process at your request.

<<On the Letterhead of the Minister of Natural Resources >>

<<Addressed to Consumer Advocate>>

I am writing further to your letter of 15 December 2011 to the Board, which was referred to us from the Board's website regarding the Muskrat Falls Project review.

In that letter to the Board, you indicated that "from the Consumer Advocate's perspective, we too would be planning on having several public sessions around the province in order to receive customer input directly on the matters engaged in the review, as part of the Consumer Advocate's own consultation process."

The intention of the Province in appointing the Consumer Advocate in the Muskrat Falls Project review process was to ensure electricity ratepayers were represented in a meaningful way in the processes to be conducted by the Board. It was not Government's intention for the Consumer Advocate to embark on a separate, incremental public hearing process as appears to be contemplated by your letter. In fact, such a process appears to be outside the Consumer Advocate's mandate under its original appointment and the legislation. Your mandate to engage in a public process is limited to those processes held by the Board, and not those initiated by yourself.

Meeting the 31 March 2012 deadline for a report will require significant effort by the Board. The role of the Consumer Advocate is to assist the Board in this process by making representations on behalf of electricity ratepayers into the processes as will be established by the Board. We expect that contribution to be on an informed and expert basis, and it is for this purpose that we have funded expert advice as you have requested. We are prepared to provide assistance as may be requested in the Consumer Advocate's fulfillment of this important role.

Paul Scott, B.A., LL.B

Assistant Deputy Minister, Energy Policy

Department of Natural Resources

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