

Date : 12/1/2011 4:33:04 PM
From : GBennett@nalcorenergy.com
To : "Scott, Paul G."
Cc : "Bown, Charles W." , "DawnDalley@nalcorenergy.com" , "Newhook, Vanessa"
Subject : Re:
Attachment : ATT1196729.jpg;
Thanks, Paul.

This looks good.

You might also add these messages:

Government wishes to see public disclosure where possible, and that public disclosure is generally in the public interest.

However, the Energy Corporation Act provides that commercially sensitive information held by Nalcor should not be disclosed.

G



Gilbert J. Bennett, P. Eng.
Vice President, Lower Churchill Project
Nalcor Energy
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From: "Scott, Paul G." <pauls@gov.nl.ca>
To: <GBennett@nalcorenergy.com>, <DawnDalley@nalcorenergy.com>
Cc: "Bown, Charles W." <cbown@gov.nl.ca>, "Newhook, Vanessa" <vnewhook@gov.nl.ca>
Date: 12/01/2011 04:27 PM
Subject:

Gilbert,

Below is an addition to the current language in the response rationale on Recommendation 12.12. Charles just received it and we'd appreciate your thoughts.

Paul

Government Response Template
(One Page Maximum, not including Joint Review Panel Recommendation)
(No. 12.12)

Panel Recommendation #12.12	Department Name/Division
<p>Modifications to the Benefits Strategy</p> <p>The Panel recommends that, if the Project is approved, Nalcor and the provincial Department of Natural Resources modify two overall provisions of the Benefits Strategy. The first is to ensure that both the monthly reports on employment and goods and services and the quarterly reports on compliance are publicly available and not restricted by the confidentiality provisions of Nalcor's legislation. The second is to remove</p>	

the provision that allows the Minister to modify the benefits targets and other commitments regarding this Project at the Minister's sole discretion.

Response Statement

The Government of Newfoundland and Labrador does not accept this recommendation.

Response Statement Rationale

- The Lower Churchill Construction Projects Benefits Strategy provides that Nalcor must report on a range of benefits targets and commitments to Government and that the Minister may provide updates to the public or House of Assembly.
- The ability of the Minister to consider the full range of implications of public release and modifying the benefits targets must not be fettered. There are other considerations important to the province that the Minister must weigh in determining any target modifications or public release of information.
- Government is committed to the principle of protecting commercially-sensitive information. Government will protect commercially-sensitive information relating to the Project in the same manner it protects commercially-sensitive information in all other sectors of the economy.
- Government will direct Nalcor to provide summarized quarterly public reports on employment, expenditure amounts to date and contract awards in the quarter. This approach when combined with the website information on procurement and contracting activity balances access to information with protecting commercially sensitive information.

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