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Minister says no need to convince Brian Peckford of anything

Former PC premier wants more information about Muskrat Falls

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Former PC premier Brian Peckford in a letter to Premier Kathy Dunderdale

Natural Resources Minister Tom Marshall has a message for former premier Brian Peckford, The Telegram and pretty much everyone else who wants to know about the province's legal case against Hydro-Québec: Back off; you're not the ones we need to convince. Natural Resources Minister Tom Marshall has a message for former premier Brian Peckford, The Telegram and pretty much everyone else who wants to know about the province's legal case against Hydro-Québec: Back off; you're not the ones we need to convince.

On Thursday, Peckford sent an open letter to Premier Kathy Dunderdale asking for more information about recent developments around the Muskrat Falls project.

Notably, Hydro-Québec has filed an application in the Quebec Superior Court which, if successful, critics argue could leave the Muskrat Falls project hamstrung and unable to reliably produce the electricity it's supposed to.

"Given the legal action, does this pose additional risk to the Province?" Peckford wrote. "If you have legal opinions that the Quebec action is really frivolous then I think you have an obligation to make these opinions public."

Marshall, responding on behalf of the government, said it's not planning on making any legal opinions public; it'll be up to Nalcor subsidiary CF(L)Co to argue the case in court.

"The people we have to convince that our position is sound is the superior court in Quebec, not premier Peckford, with all due respect," Marshall said.

"You want us to give it to you before it goes to the court. Well, that's not going to happen."

The Telegram asked Marshall why the government wouldn't release its legal opinions to reassure Peckford and the rest of the interested public.

"You're not the guy we have to convince. We have to convince the courts. This is a matter in court. It's about the interpretation of a contract," he said. "The matter is before the courts; we have to show respect to the courts."

Marshall said that citizens of Newfoundland and Labrador can absolutely know what the government's case is, as long as they pay close attention to the Quebec court system.

"They will know in court," he said. "They're going to hear the whole thing. They'll see it. They'll follow it all."

Peckford's letter also raised concerns about a recent regulatory decision in Nova Scotia. The Utilities and Review Board in Nova Scotia said the Maritime Link between Newfoundland and Nova Scotia only represented the cheapest source of electricity if Nova Scotia Power could secure "market-priced energy" from Nalcor.

That market-priced energy would be surplus electricity well below the cost that Newfoundland and Labrador ratepayers will pay for the power.

"Do such changes impact the project or Province in anyway? Furthermore, the people need to know the cost of this project today including the interest cost during construction," Peckford wrote. "This is a multibillion dollar project with huge risks as these latest actions validate. I think the people of the Province need to be reassured that the Government is firmly in control of this project."

Marshall said that apart from the 20 per cent of the Muskrat Falls power that Nova Scotia is getting in exchange for building the Maritime Link, the provincial government will happily sell them more — as long

as it's not needed in Labrador.



"The only reason we're talking about the export of any of Muskrat's power is because we expect initially when it comes on stream, we're only going to need in Newfoundland and Labrador about 40 per cent," Marshall said. "So then 20 per cent is going to Nova Scotia. So the other 40 per cent is going to be available for export until such time as it's needed in Labrador. Now, that could take some time or it could happen very quickly. We don't know. But any surplus power that we would have now that would be available for sale would be subject to recall as soon as Labrador needed it. So Labrador would come first."

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