

RECEIVED

MAR 17 2019

MCINNES  
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Our File: 161520

February 16, 2019

Commission of Inquiry Respecting the  
Muskrat Falls Project  
5th Floor, Beothuck Building  
20 Crosbie Place  
St. John's, NL A1B 3Y8**Attention: Ms. Kate O'Brien**

Dear Ms. O'Brien:

**RE: Gilbert Bennett Interview**

This is further to your interview of Gilbert Bennett conducted yesterday and concerning two email messages, copies enclosed:

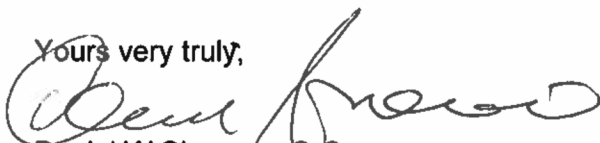
- NAL3530383 – a message from Paul Harrington to Gilbert Bennett and Lance Clarke, copied to Jason Kean and Brian Crawley, dated Wednesday May 29, 2013 at 09:34, subject "SLI - Risk", and
- NAL3530386 – an email message from Jason Kean to Paul Harrington, copied to Gilbert Bennett, dated Wednesday May 29, 2013 at 09:58, subject "Re: SLI – Risk".

We have asked the Nalcor IT Operations Manager to review the available information concerning the transmission and receipt of both messages. He has informed us that:

- Neither message is present in Gilbert Bennett's mail account currently, or in the system backup taken in July 2017.
- The messages are present in the accounts of Paul Harrington, Lance Clarke, Brian Crawley and Jason Kean.
- No replies or forwards of either message from Mr. Bennett's mail account have been found.
- The email address used for Mr. Bennett on each message is correct.

We are informed that in the two week period around May 29, 2013 Nalcor mail accounts were migrated to a new mail system, but that it is not possible at this time to determine whether there could have been any effect on the transmission and receipt of the two messages.

Yours very truly,

  
Daniel W Simmons Q.C.

**Sent:** Wed, 29 May 2013 09:34:13 -0230  
**From:** pharrington@nalcenergy.com  
**To:** gbennett@nalcenergy.com, lanceclarke@nalcenergy.com  
**Cc:** jasonkean@nalcenergy.com, brian crawley@nalcenergy.com  
**Subject:** SLI - Risk  
**Attachment**

Gilbert

I met with Normand and JD Tremblay ( the SLI Risk person) yesterday and asked for clarification on the SLI risk analysis that was carried out on the project.

It appears that M&M division VP asked for this and the M&M division performed the analysis - it was based on the data from the LCP Risk Workshops that Jason had chaired mid last year .

The status is that a draft is with B Gagne and Scott Thon and they may be thinking about providing it to us . I would respectfully decline that offer because of a number of very important factors:-

1 Because the work was based on the same source data that Westney used there is nothing new here- Risk wise.

2 The risk analysis shows the unmitigated risk and cost result and is not a probabilistic analysis using Monte Carlo sampling techniques - so the results will be subjective in interpretation and will not reflect the mitigations we have implemented or the cost result of the mitigations- i.e the results will be misleading and inaccurate

3 We have had no opportunity to challenge the assumptions or factual accuracy of the input data and we really do not have the time or inclination to do so - we need to focus our efforts and resources on the risks going forward not spend time on some dated, incomplete analysis using techniques which are inferior to those used by Westney

So I recommend we talk to Scott and reassure him that we realize there was no mal intent here however given the above we would prefer if this remained as a draft internal document and not presented to us.

However there is something that we need to work on together and that is to revitalize the risk identification and mitigation efforts within the LCP team. It is now time to assess our current state regarding Risk Management and identify an action plan to get us to the desired state. I have asked JD Tremblay to provide me with that. I know that the LCP team has been very much focussed on dealing with other significant priorities and may not have been able to formally maintain the Risk register however I am also confident that the significant priority work the team is focussed on are indeed the biggest risks facing us and that we are in good shape here and with a little extra effort can catch up without major issue. I will support the Risk effort and lend my authority to Jason and JD Tremblay to help move this forward.

Regards Paul



**Paul Harrington**  
Project Director  
LC Mgmt & Support  
Nalcor Energy - Lower Churchill Project  
t. 709 737-1907 c. 709 682-1460 f. 709 737-1985  
e. [PHarrington@nalcenergy.com](mailto:PHarrington@nalcenergy.com)  
w. [nalcenergy.com](http://nalcenergy.com)  
1.888.576.5454

NAL3530386

Sent: Wed, 29 May 2013 09:57:57 -0230  
From: jasonkean@nalcoreenergy.com  
To: "paul harrington/nlhydro"  
Cc: "gilbert bennett/nlhydro", "lance clarke/nlhydro", "brian crawley/nlhydro"  
Subject: Re: SLI - Risk

Paul,

One point of note - SLI did not have access to any data from these sessions. They only participated in some of it and I provided none of it too them.

Funny thing that JD can make time for working this, but can't maintain the risk register left by the previous incumbent.

That's been one of our struggles to keep the risk process embedded within the team.

Jason

Jason R. Kean, P. Eng., MBA, PME

Project Solutions Inc.

Ph. (709) [REDACTED]

Sent from my iPhone

On 2013-05-29, at 5:04 AM, "Paul Harrington" <[PHarrington@nalcoreenergy.com](mailto:PHarrington@nalcoreenergy.com)> wrote:

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NAL3530386

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