

March 21, 2017

Submission to:

The National Energy Board Modernization Panel

From:

The Fundy Research and Restoration Group

Presented by:

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National Energy Board (NEB) Issues

The matters of (1) “the review of new energy project applications”, and (2) “energy information services” need to be removed from the NEB to other government agencies and departments.

THE FUTURE ROLE OF THE NEB SHOULD BE LIMITED TO THE LICENSING AND REGULATION OF ENERGY INFRASTRUCTURE, with the main emphasis being safety, reliability and insuring that the conditions of licensing and operation of the infrastructure are strictly enforced.

We request that public review of new energy projects be carried out by the Canadian Environmental Assessment Agency who has a more inclusive, open and user-friendly hearing and examination process.

As well, the Canadian Environmental Assessment Agency, in its review process, holds comprehensive scoping meetings to identify issues and concerns of interest to the public well ahead of time and long before any scheduling of public hearings.

Regarding the matter of energy information, this can be researched and made available through National Resources Canada on matters regarding energy reserves, energy supplies, future energy demands and energy exports, etc.

The headquarters and offices of the NEB need to be moved from Calgary and back to Ottawa, the centre of national government. In Calgary the headquarters of the NEB are just too closely associated with the big oil, gas and pipeline industries.

No further review of the Energy East Pipeline proposal should move forward until the work of the National Energy Board Modernization Panel has been completed and recommendations from the Panel have been reviewed and put in place by government.

The NEB's current hearing process for approval of energy project applications takes the form of a quasi-legal tribunal. This process may work well for the Energy Board and big corporations with large budgets and lots of high-priced legal and professional expertise at their disposal, to counter and dismiss the views, interests and concerns of communities, public interest groups and landowners at NEB hearings, who if lucky enough to be given intervenor status by the NEB, attempt to oppose a project application or seek mitigation at NEB hearings.

The NEB quasi-legal tribunal is an unfamiliar, daunting and intimidating process to ordinary people such as landowners, public interest groups and affected members of the public. There is currently no guarantee that groups and individuals, who wish to participate in an NEB hearing and make application for intervenor status to the board, will be accepted by the board to participate. Indeed, for the Energy East Project over 60% of those who applied last year to become intervenors were turned down by the NEB.

Regarding the National Energy Board Modernization Panel, we have recently learned the only public meeting to be held by the National Energy Board Modernization Panel in the Maritimes will be this meeting in Saint John on March 21st and 22nd, 2017. This is completely unacceptable for a panel conducting a review of a national regulatory body such as the NEB. Indeed, some of the strongest public criticism regarding the NEB is its non-inclusion of the public, and this Modernization Panel must not follow in the NEB's footsteps. The Modernization Panel review concerns the national regulatory body and therefore the Modernization Panel should hold at an absolute minimum of least one public meeting in every

province and territory in Canada. We request that plans be immediately made to hold a public meeting in our sister province of Nova Scotia.

The largest energy projects reviewed to date by the NEB in the Maritime region have been in Nova Scotia (offshore gas and petroleum, and the Sable gas pipeline to the U.S.). As well, it is anticipated there will be more future oil, gas and power line export projects in Nova Scotia. Also, the Energy East pipeline project currently under review could have large economic effects and risks for Nova Scotia and its Bay of Fundy fisheries, tourism and coastal communities. The economic effects to Nova Scotia could well be greater than in New Brunswick if a large spill of bitumen were to occur in the Bay of Fundy. It is imperative that your Panel hold a meeting in Nova Scotia.

For any clarification contact David H. Thompson at 506-635-1297 (phone)