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nalcorenergy.com

July 30, 2019

VIA EMAIL

s. 40(1)

Attention:

[REDACTED]

Dear

[REDACTED]

s. 40(1)

**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* (File #: PB/518/2019)**

On July 2, 2019, Nalcor Energy received your request for access to the following records/information:

*Nalcor CEO Stan Marshall says if you want reliability, it will come with a price.*

*This morning at the Muskrat Falls Inquiry in St. John's, Marshall was questioned about weather conditions and what would happen if the system failed, or if the transmission link between Labrador and the island went down.*

*Marshall says at the end of the day, the reliability of the system depends on how much you're willing to pay. Marshall told the Inquiry that in his opinion, the best way to deal with the uncertainty once Muskrat comes online, is to keep the Holyrood plant operational for a few years.*

*He says the assumption is that Holyrood will close down in 2021. Marshall suggests to leave that operational for a few years until the kinks are worked out.*

*1/ Provide the cost per year capital & operating for the years 2021-2025 to keep Holyrood open as backup for a MF LIL outage*

On July 5, 2019, you asked to have the following added to your request:

*2/re 1/ provide the Holyrood costs in retail cents per kwh added to retail power bills - 2021-2025*

Please note that records responsive to your request with respect to part 1, above, can be found on the Board of Commissioners of Public Utilities website at the following link. "PUB-NLH-048" and "PUB-NLH-069" both contain information responsive to your request.

<http://www.pub.nf.ca/applications/NLH2018ReliabilityAdequacy/index.htm>

Please note that the options for reliability and associated adequacy of the future system in the near term and longer term are being reviewed through a Board of Commissioners of Public Utilities process. This process commenced when Newfoundland and Labrador Hydro filed with the Board its *Reliability and Resource Adequacy Study* in November 2018. It is anticipated that various intervening parties will have the opportunity to participate in the coming months when a more specific process is determined. The process will inform the parties on anticipated reliability levels, as well as inform the cost to customers for various options to improve reliability beyond current anticipated levels.

Please note that we currently have no records responsive to part 2 of your request, above.

It is the goal to publish this letter following a 72 hour period after it is sent electronically to you or five business days in the case where the letter has been mailed to you.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act (*the Act*). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL. A1B 3V8  
Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

If you have any further questions, please feel free to contact the undersigned by telephone at (709) 733-5346 or by e-mail at [granthiscock@nalcorenergy.com](mailto:granthiscock@nalcorenergy.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Hiscock". The signature is written in a cursive style with a large loop at the beginning.

Grant Hiscock  
Access and Privacy Officer

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).