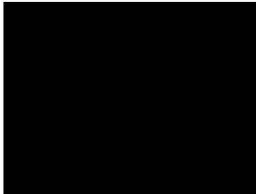


June 8, 2017



s.40(1)

Dear : s.40(1)

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (File # NR-37-2017)

On April 10, 2017, the Department of Natural Resources received your request for access to the following records/information:

All correspondence, including memos, emails, letters, MOUs and studies between 1) officials with the government of Newfoundland and Labrador (and Nalcor officials) and 2) officials with the government of Ontario regarding the possibility of N.L. selling power from the Muskrat Falls hydroelectric plant and the pending Gull Island development at Lower Churchill Falls, to Ontario.

On May 2, 2017 the department received approval from the Information and Privacy Commissioner to extend the timeline for your request by 20 business days. This extension was necessary due to the need to conduct consultations with other departments/entities on the responsive records, the large volume of requests we are currently processing and the amount of records associated with your request and others.

Please be advised that a decision has been made by the Deputy Minister for the Department of Natural Resources to refuse access to the records requested in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act* (the Act):

Section 29(1)(a)

The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

Section 34(1)(a)(i)

The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to harm the conduct by the government of the province of relations between that government and the following or their agencies: the government of Canada or a province

Section 34(1)(b)

The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to reveal information received in confidence from a government, council or organization listed in paragraph (a) or their agencies

Section 35(1)(g)

The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body.

For your reference we have applied the redaction S.34(1)(a)(i) to the entirety of the records, however we have also applied S.29(1)(a), S.34(1)(b) and S.35(1)(g) to various portion of the specific records contained within the overall redaction.

As set out in section 42 of the Act you may ask the Information and Privacy Commissioner to review the department's decision to refuse access to the requested information. 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 request should identify your concerns with the department's response and why you are requesting a review.

The request for review 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

Pursuant to section 52 of the Act, you may also appeal directly to the Supreme Court Trial Division within 15 business days after receiving the department's decision.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

For further details about how an access to information request is processed, please refer to the Access to Information Policy and Procedures Manual at <http://www.atipp.gov.nl.ca/info/index.html>.

If you have any questions regarding the processing of your request, please feel free to contact me by telephone at 729-0463 or rhynes@gov.nl.ca.

Sincerely,

A handwritten signature in cursive script that reads "Rod Hynes".

Rod Hynes
ATIPP Coordinator