Dear

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (File # NR-41-2017)

On May 8, 2017, the Department of Natural Resources received your request for access to the following records/information:

A letter to the minister from her federal counterpart, dated Nov. 10, 2016.

I am pleased to inform you that a decision has been made by the Department of Natural Resources, confirmed by the Deputy Minister, to provide access to parts of the requested information. Access to the remaining information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

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 35(1)(f)
The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the government of the province or a public body, or considerations which relate to those negotiations;

Section 35(1)(g)
The head of a public body may refuse to disclose to an applicant information which
could reasonable by 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.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible; in accordance with your request for a copy of the records, the records have been included with this correspondence.

As set out in section 42 of the Act you may ask the Information and Privacy Commissioner to review the department’s decision to provide 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,

\[Signature\]

Rod Hynes
ATIPP Coordinator
The Honourable Siobhan Coady, M.H.A.
Minister of Natural Resources
Government of Newfoundland and Labrador
P.O. Box 8700
St. John’s, Newfoundland and Labrador A1B 4J6

Dear Minister Coady:

In follow-up to the conversation between the Prime Minister and the Premier of Newfoundland and Labrador, I am pleased to inform you that the Government of Canada will enter into discussions regarding additional loan guarantee support for the Lower Churchill projects.

Given that our governments have a shared interest in ensuring the completion and success of the projects, we remain committed to maintaining a strong partnership on this development. As we know, Lower Churchill, beyond its economic benefits, will bring to market a new source of clean electricity which will help Atlantic Canada make substantial contributions towards our shared environmental goals.

I have directed Natural Resources Canada officials to work with your officials and Nalcor Energy representatives to negotiate a new term sheet as expeditiously as possible.

Recognizing the financial pressures created by Newfoundland and Labrador’s fiscal position, we will then provide up to $2.9 billion in additional loan guarantee support.

S.34(1)(a)(i)  S.35(1)(f)  S.35(1)(g)
That said, it is important for me to note that Canada’s position in these discussions will be shaped by a few broad principles. These include:

1. Establishing a stronger commercial framework, including an annual fee of at least 0.5% of the total additional debt that is guaranteed, with an opportunity for participation in the upside risk of the projects. This framework allows Canada to move toward a sustainable precedent for future loan guarantee assistance for other projects.

I am confident we can develop a term sheet that is aligned with these principles and that the Government of Canada will be able to provide additional support for the projects as per the discussion between the Prime Minister and the Premier.
The federal government has put considerable emphasis on building strong, collaborative relationships with provinces and territories, and its willingness to provide further support for these projects demonstrates that this is a priority. Working together, we will be able to continue to create new economic opportunities from our natural resources while improving environmental outcomes.

I look forward to collaborating with you to bring this matter to a satisfactory conclusion in the near future.

Yours sincerely,

The Honourable Jim Carr, P.C., M.P.

c.c.: The Right Honourable Justin P. J. Trudeau, P.C., M.P.
Prime Minister of Canada

The Honourable Dwight Ball, M.H.A.
Premier of Newfoundland and Labrador

The Honourable Bill Morneau, P.C., M.P.
Minister of Finance