February 1, 2013

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, file # NR/014/2012

On September 17, 2012, the Department of Natural Resources received your request for access to the following records/information:

"The 2012-13 budget allows for an investment of $664,000,000 in Nalcor Energy, and/or its subsidiaries, in order to facilitate its participation in oil and gas activities and other energy projects. I am requesting information as to how that particular amount of money was arrived at by Nalcor. I would like documentation surrounding discussions with Nalcor that led to government’s budgeting $664 million for Nalcor this year."

Please be advised that access to these 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 18(2)(c) – Cabinet confidences
- Section 20(1)(c) – Policy advice or recommendations

In addition, due to reasons of commercial sensitivity some of the information contained within the records has been refused in accordance with Section 5.4(1)(a) of the Energy Corporation Act.
While I cannot provide government records for the reasons provided above, I can confirm that the $664 million dollars allocated to Nalcor Energy in Budget 2012-13 was provided for the following budget items:

- investments in the Muskrat Falls Project, and
- investments required through our equity positions in oil and gas projects.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review the refusal of records or you may appeal the refusal to the Supreme Court Trial Division. A request to the Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Information and Privacy Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
34 Pippy Place
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8
Telephone: (709) 729-6309
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Supreme Court, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

If you have any further questions, please feel free to contact the department’s ATIPP Coordinator at (709) 729-3214.

Sincerely,

[Signature]

CHARLES W. BOWN
Deputy Minister

c. Copy to Tanya Noseworthy