

From: Respondent #1

Sent: October 22, 2018 17:29

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Cc: NEB Modernization / Modernisation de l'ONE (NRCAN/RNCAN) <NRCan.NEBModernization-ModernisationONE.RNCan@Canada.ca>

Subject: Re: Engagement on Regulations for the Canadian Energy Regulator Act / Participation sur des règlements en vertu de la Loi sur la régie canadienne de l'énergie

In reference to the discussion paper, DESIGNATED OFFICER REGULATIONS, sent to me, here are my answers to questions asked.

Question 1. What changes, if any, would you suggest to the above criteria for identifying decisions in the CER Act that are “technical or administrative in nature”?

- The decision falls within the CER guidelines/mandate and does not infringe on other administrations/ministries

Question 2. Are there any other criteria that could be used to identify decisions that are “technical or administrative in nature”?

- The decision can be made irrespective of political agendas (which is a form of competing interests)

Question 3. What changes, if any, would you suggest to the circumstances listed above? Page 5 of 6

- Significant Interest by Non Technical Groups (Indigenous/government/public/etc) is irrelevant. Those issues should be addressed during consultation.

Question 4. Are there any other circumstances that could apply for when a decision should be made by the Commission and not a designated officer?

- Time should be a consideration. Moving to a Commission should be a last resort as that process will be longer and will erode the value of the project
- Competency of the officer.

Question 5. Are there any circumstances where a decision that is “technical or administrative in nature” should always be made by a designated officer?

- Anywhere that the regulations are clearly defined.