

The Honourable Jim Carr
Minister of Natural Resources
House of Commons
Ottawa, Ontario
Canada
K1A 0A6

Subject: Energy East Pipeline Project, request for an investigation of the National Energy Board with respect to the Energy East Pipeline file

Dear Minister,

On [August 4](#), 2016, we were dismayed to read in the National Observer that the National Energy Board (NEB) provided incorrect and misleading information about a private meeting between Jean Charest, the former Premier of Quebec, and Peter Watson, NEB Chairman and CEO, as well as with Lyne Mercier and Jacques Gauthier, two commissioners responsible for studying the Energy East project.

More specifically, according to the documents obtained by the National Observer, it was Mr. Gauthier who requested this private meeting at a time when Mr. Charest was under contract with TransCanada and had not registered as a lobbyist. Meanwhile, in the same message, Mr. Gauthier explicitly stated he wanted to discuss the Energy East pipeline project. Starting in October 2014, the media has looked into possible business dealings between Mr. Charest and TransCanada. How could the Chairman and commissioners of the NEB have been unaware that Mr. Charest maintained a business relationship with the promoter of the Energy East project? Shouldn't they have protected the integrity of the project evaluation process by confirming Mr. Charest's role? Is there good reason to wonder whether the commissioners organized the meeting with full knowledge of the situation? Why did Craig Loewen, spokesperson for the NEB, say in July that "the Energy East proposal was not discussed" with Mr. Charest? Why did the NEB CEO, who was at the January 2015 meeting, not immediately correct Mr. Loewen's statements? Why did the NEB wait until emails and notes of the meeting, obtained through the Access to Information Act, and a news article was published on [August 4, 2016](#) that included an apology and confirmation that the Energy East pipeline project had indeed been discussed at the meeting with Mr. Charest? Irrespective of the specific circumstances, which need to be clarified, the fact the meeting took place raises serious questions about whether the integrity of the Energy East project review process has been damaged while giving the impression the commissioners are not impartial in their work.

Given such a serious case of misconduct, a simple apology is not enough. We believe the meeting between Jean Charest, the Chairman of the NEB and the commissioners taints the credibility and impartiality of the Energy East review project. The available information suggests serious breaches of the NEB's code of conduct for employees, including holding discussions with a third party, a stakeholder in the file, who was on contract with the project's developer.

It must be remembered that the NEB is a federal agency charged with regulating Canada's energy sector. As such, it must fulfill its mission in accordance with the highest standards of objectivity and impartiality. As stated on the NEB's [website](#): *"If we are to serve the Canadian public well, we know they must be confident that we can enforce the orders, rules and regulations that protect them, their communities and their environment."*

We believe the transparency, impartiality and integrity of the review process for the Energy East pipeline project are now under question. It is crucial that light be shed on the circumstances surrounding this meeting in order to restore the public's confidence in the NEB, which must be beyond reproach in terms of its impartiality and rigour as it evaluates the Energy East pipeline project.

This is why we urge you to make sure the National Energy Board suspend the commission's work and hearings, and put in place an independent, objective and transparent investigation that can provide a full account of this situation regarding the current Commissioners..

We also ask that the Chairman and the commissioners involved in the meeting be removed from the Energy East panel and as NEB commissioners. Without such action, the overall Energy East evaluation process will remain tainted by serious misconduct and Canadians will not be able to trust its conclusions.

Respectfully,

Signatories:

Action Climat Montréal

AQLPA

Alerte Pétrole Rive-Sud

Association madelinienne pour la sécurité énergétique et environnementale

Association des propriétaires privés, agricoles (acéricoles) et forestiers (apPAF)

Climate Fast

Coalition Vigilance Oléoducs

Comité des Citoyens et Citoyennes pour la Protection de l'Environnement

Green 13

Maskoutain

Eau Secours ! Coalition québécoise pour une gestion responsable de l'eau

Ensemble contre les sables bitumineux

Fondation David Suzuki/ David Suzuki Foundation

Fondation Rivières

Greenpeace Canada

Le Conseil des canadiens / The Council of Canadians

Les Citoyens au Courant

Manitoba Energy Justice Coalition

Nature Québec

NON à une marée noire dans le Saint-Laurent

Oil Change International

Passive Buildings Canada

Prosperité Sans Pétrole

Regroupement citoyen contre les bitumineux et pour le développement durable

Regroupement vigilance hydrocarbures Québec

Société pour vaincre la pollution (SVP)

Stop oléoduc Montmagny-L'Islet

Stop oléoduc Bellechasse - Levis

Stop Oléoduc Portneuf Saint-Augustin

Stop oléoduc Île d'Orléans

Stop Oléoduc Capitale Nationale

Stop Oléoduc Kamouraska

Environnement Vert Plus

Saint-Antoine-de-Tilly - Milieu de vie

Tache d'huile

Action Environnement Basses Laurentides