

National Energy  
Board



Office national  
de l'énergie

# **Annual Report Pursuant to Access to Information Act and Privacy Act**

1 April 1998 - 31 March 1999

**National Energy Board**

Annual Report  
Pursuant to the  
Access to Information Act  
and the Privacy Act

**1 April 1998 - 31 March 1999**

National Energy  
Board



Office national  
de l'énergie

Office of the Chairman

Bureau du Président

27 May 1999

The Honourable Ralph Goodale, P.C., M.P.  
Minister of Natural Resources Canada  
580 Booth Street  
Ottawa, Ontario  
K1A 0E4

Dear Minister:

In accordance with the provisions of Sections 72 of the *Access to Information Act* and the *Privacy Act*, I am pleased to submit the Annual Report of the National Energy Board on the administration of these Acts for the period 1 April 1998 to 31 March 1999.

Yours truly,

A handwritten signature in black ink, appearing to read "K. Vollman".

Kenneth W. Vollman  
Chairman

Enclosure

444 Seventh Avenue SW  
Calgary, Alberta T2P 0X8

444, Septième Avenue S.-O.  
Calgary (Alberta) T2P 0X8

Canada

Telephone/Téléphone : (403) 292-4900  
Facsimile/Télocopieur : (403) 292-5503  
<http://www.neb.gc.ca>

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## **I ACCESS TO INFORMATION**

**PART A**

**STATISTICAL REPORT**

During the financial year 1 April 1998 to 31 March 1999, the National Energy Board ("the Board") received eleven requests for information under the *Access to Information Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board / Office national de l'énergie				Reporting period / Période visée par le rapport 1998 - 1999	
Source	Media / Médias	Academia / Secteur universitaire	Business / Secteur commercial	Organization / Organisme	Public
			5	1	5

<b>I</b> Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information	
Received during reporting period / Reçu pendant la période visée par le rapport	11
Outstanding from previous period / En suspens depuis la période antérieure	0
<b>TOTAL</b>	11
Completed during reporting period / Traitées pendant la période visées par le rapport	11
Carried forward / Reportées	0

<b>II</b> Disposition of requests completed / Disposition à l'égard des demandes traitées					
1.	All disclosed / Communication totale	8	6.	Unable to process / Traitement impossible	
2.	Disclosed in part / Communication partielle	2	7.	Abandoned by applicant / Abandon de la demande	1
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)		8.	Treated informally / Traitement non officiel	
4.	Nothing disclosed (exempt) / Aucune communication (exemption)		<b>TOTAL</b>		<b>11</b>
5.	Transferred / Transmission				

<b>II</b> Exemptions invoked / I Exemptions invoquées							
S. Art. 13(1)(a)		S. Art. 16(1)(a)		S. Art. 18(b)		S. Art. 21(1)(a)	
(b)		(b)		(c)		(b)	
(c)		(c)		(d)		(c)	
(d)		(d)		S. Art. 19(1)		(d)	
S. Art. 14		S. Art. 16(2)		S. Art. 20(1)(a)	2	S. Art. 22	
S. 15(1) Art. International rel. / Relations interm.		S. Art. 16(3)		(b)		S. Art. 23	
Defence / Défense		S. Art. 17		(c)		S. Art. 24	
Subversive activities / Activités subversives		S. Art. 18(a)		(d)		S. Art. 26	

<b>I</b> Exclusions cited / V Exclusions citées			
S. Art. 68(a)		S. Art. 69(1)(c)	
(b)		(d)	
(c)		(e)	
S. Art. 69(1)(a)		(f)	
(b)		(g)	

<b>V</b> Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	9
31 to 60 days / De 31 à 60 jours	2
61 to 120 days / De 61 à 120 jours	
121 days or over / 121 jours ou plus	

<b>V</b> Extensions / I Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	2	
Consultation		
Third party / Tiers		
<b>TOTAL</b>		

<b>VI</b> Translations / I Traduction		
Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

<b>VIII</b> Method of access / Méthode de consultation	
Copies given / Copies de l'original	10
Examination / Examen de l'original	1
Copies and examination / Copies et examen	

<b>I</b> Fees / X Frais			
Net fees collected / Frais net perçus			
Application fees / Frais de la demande	\$50.00	Preparation / Préparation	
Reproduction		Computer processing / Traitement informatique	
Searching / Recherche		<b>TOTAL</b>	\$50.00
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins		1	\$ 5.00
Over \$25.00 / De plus de 25 \$			\$

<b>X</b> Costs Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 3000.00
Administration (O and M) / Administration (fonctionnement et maintien)	\$
<b>TOTAL</b>	\$ 3000.00
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	0.05



## **PART B**

### **INTERPRETATION/EXPLANATION**

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

#### **I Received During Reporting Period**

During the reporting period, the Board received eleven requests under the *Access to Information Act* and there were no requests outstanding from the previous reporting period.

#### **II Disposition of Requests Completed**

For two of the requests received during the reporting period, the Board disclosed only parts of the documents because the remainder were exempt under Section 20(1)(a) of the *Access to Information Act*. For one of the eleven requests, the Board advised the client of the estimated cost of providing all the documentation requested. The client did not follow up on the request. With respect to the other eight requests, all the documents requested were disclosed.

#### **V Completion Time**

For two of the requests received during the reporting period, a 30 day extension of time to respond was requested because of the amount of documents to be prepared. The requests were completed within 60 days. The remaining nine requests were completed within the 30 days specified in the *Access to Information Act*.

#### **IX Fees**

A total of \$50.00 was received for the requests submitted during the reporting period.

#### **X Costs**

The costs incurred for handling the requests and administrative matters dealing with Access to Information totalled approximately \$3 000 for 100 hours.

The Board estimates that 100 hours equates to 0.05 person year.



## PART C

### SUPPORTING DOCUMENTATION

#### I General

The Board is a regulatory tribunal and a court of record. All applications and other documents filed with the Board are public and are readily available for inspection. Since its inception, the Board has maintained its policy of providing information, a) wherever possible, b) on request, and c) promptly.

In addition to providing information on request, the Board has its own program of disseminating information on various aspects of its regulatory functions. This program includes the publication of Information Bulletins, 13 to date, news releases, 46 during the reporting period, a quarterly Regulatory Agenda together with monthly updates, the latest issue being 1 April 1999, an Annual Report, the latest covering calendar year 1998, an Electronic Board Document System and an Internet site.

The provision of information to the public is not new to the Board, and the Board encourages the public to request information informally rather than formally under auspices of the *Access to Information Act*. Although the proclamation of the *Access to Information Act* has had no impact on the standards that the Board has set for itself in its public relations, we have in place measures to administer the Act. These measures are described in the following sections.

#### II Organization of Access to Information Activities

Activities relating to the *Access to Information Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by a Communications Officer. In addition, one of the Board's Legal Counsel provides advice, as required.

#### III Implementation of the *Access to Information Act*

As previously mentioned, the proclamation of the *Access to Information Act* has had little impact on the Board's public relations program or the Board's policy on information dissemination. The only impact has been of an administrative nature: procedures are in place to deal with requests received, staff and management are aware of the requirements of the Act and of the Board's procedures, and one reading room has been designated.

#### **IV Formal/Informal Interface**

The Board receives an average of 450 requests for information each month. Approximately 25 percent of these requests are of a complex nature, requiring research and co-ordination with other business units. Such requests are responded to in an average of five working days.

Neither the proclamation of the *Access to Information Act* nor the requests received under the Act have affected the number of informal requests received and disposed of by the Board.

#### **V Institutional Policies**

In view of the small number of Access to Information requests received to date, the Board has not had a need to formulate policies specifically dealing with the requirements of the *Access to Information Act* or its Regulations.

#### **VI Delegation Instrument**

The Secretary has been designated to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act, except for the power to refuse access to a record requested under the *Access to Information Act*.

A copy of the Designation Order and an Amendment to the Designation Order are attached as Appendix I and Appendix II, respectively.

NATIONAL ENERGY BOARD



OFFICE NATIONAL DE L'ÉNERGIE

## ACCESS TO INFORMATION ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Access to Information Act\* hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested under the Act. Where the Secretary does not intend to give access to a record requested under the Act, he shall refer the request to the Standing Committee on Regulatory Process which Committee shall have the power to grant or refuse access to the record.

Dated at Ottawa this 18 day of March, 1983.

A handwritten signature in cursive script, appearing to read 'C.G. Edge', written over a horizontal line.

C.G. Edge  
Chairman

\* S.C. 1980-81-82 c. 111

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National Energy Board



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Office national de l'énergie

**ACCESS TO INFORMATION ACT DESIGNATION AMENDMENT ORDER**

The Acting Chairman of the National Energy Board, pursuant to Section 73 of the *Access to Information Act*\*, hereby amends the *Access to Information Act Designation Order* made on the 18th day of March 1983, at the City of Ottawa, in the Province of Ontario, by deleting the words "Standing Committee on Regulatory Process" in the text of the Order and substituting therefore the words "Executive Team".

Dated at the City of Calgary, in the Province of Alberta, this 27th day of May 1998.

A handwritten signature in cursive script, appearing to read "K. W. Vollman".

Kenneth W. Vollman  
Acting Chairman

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\* Access to Information Act R.S.C. 1985, c A-1, s. 1.

## **II PRIVACY**

**PART A**

**STATISTICAL REPORT**

During the financial year 1 April 1998 to 31 March 1999, the Board received no requests for information under the *Privacy Act*

The Statistical Report which follows reflects this. As this is a nil report, no explanation of it is provided.

Institution National Energy Board/Office national de l'énergie	Reporting period / Période visée par le rapport 1998 - 1999
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<b>I</b>	2	
Received during reporting period / Reçues pendant la période visée par le rapport		0
Outstanding from previous period / En suspens depuis la période antérieure		
<b>TOTAL</b>		0
Completed during reporting period / Traitées pendant la période visées par le rapport		
Carried forward / Reportées		0

<b>II</b>	<b>Disposition of request completed / Disposition à l'égard des demandes traitées</b>	
1.	All disclosed / Communication totale	
2.	Disclosed in part / Communication partielle	
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)	
4.	Nothing disclosed (exempt) / Aucune communication (exemption)	
5.	Unable to process / Traitement impossible	
6.	Abandoned by applicant / Abandon de la demande	
7.	Transferred / Transmission	
<b>TOTAL</b>		

<b>II</b>	<b>Exemptions invoked / Exceptions invoquées</b>	
S. Art. 18(2)		
S. Art. 19(1)(a)		
(b)		
(c)		
(d)		
S. Art. 20		
S. Art. 21		
S. Art. 22(1)(a)		
(b)		
(c)		
S. Art. 22(2)		
S. Art. 23 (a)		
(b)		
S. Art. 24		
S. Art. 25		
S. Art. 26		
S. Art. 27		
S. Art. 28		

<b>IV</b>	<b>Exclusions cited / Exclusions citées</b>	
S. Art. 69(1)(a)		
(b)		
S. Art. 70(1)(a)		
(b)		
(c)		
(d)		
(e)		
(f)		

<b>V</b>	<b>Completion time / Délai de traitement</b>	
30 days or under / 30 jours ou moins		
31 to 60 days / De 31 à 60 jours		
61 to 120 days / De 61 à 120 jours		
121 days or over / 121 jours ou plus		

<b>VI</b>	<b>Exemptions / Prorogations des délais</b>		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus	
Interference with operations / Interruption des opérations			
Consultation			
Translation / Traduction			
<b>TOTAL</b>	0	0	

<b>VI</b>	<b>Translations / Traductions</b>	
Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

<b>VIII</b>	<b>Method of access / Méthode de consultation</b>	
Copies given / Copies de l'original		
Examination / Examen de l'original		
Copies and examination / Copies et examen		

<b>IX</b>	<b>Corrections and notation / Corrections et mention</b>	
Corrections requested / Corrections demandées		
Corrections made / Corrections effectuées		
Notation attached / Mention annexée		

<b>X</b>	<b>Costs / Coûts</b>	
	Financial (all reasons) / Financiers (raisons)	
Salary / Traitement		\$
Administration (O and M) / Administration (fonctionnement et maintien)		\$
<b>TOTAL</b>		\$
	Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
	Person year (decimal format) / Années-personnes (nombre décimal)	



## **PART B**

### **SUPPORTING DOCUMENTATION**

Activities relating to the *Privacy Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by a Communications Officer. In addition, one of the Board's Legal Counsel and a staff member of Personnel are available to provide advice, as required. All the individuals have other responsibilities in addition to those described above.

The Chairman of the Board also delegated to the Secretary the authority to exercise his powers and perform his duties and functions in relation to the *Privacy Act*. This procedure is cited in the Designation Order, a copy of which is attached as Appendix I.

The proclamation of the *Privacy Act* has required the Board to make the appropriate administrative arrangements to deal with requests received. However, as only one request has ever been received, there has been little impact on the Board.

The Board's staff are aware of the requirements of the *Privacy Act* and the procedures to follow in order to handle all requests appropriately.



NATIONAL ENERGY BOARD

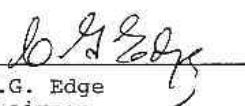


OFFICE NATIONAL DE L'ÉNERGIE

PRIVACY ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Privacy Act\*, hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as the head of a government institution under the Act.

Dated at Ottawa this 16 day of March, 1983.

  
C.G. Edge  
Chairman

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\* S.C. 1980-81-82, c. 111