

September 8, 2026

VIA EMAIL



Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act*, 2015 (File #: PB/1057/2026)

On August 5, 2026, we received your request for access to the following records/information:

According to the second-quarter report from Newfoundland and Labrador Hydro published in 2025, it appears that Hydro-Québec amended an agreement regarding the purchase price of energy - sourced from the Muskrat Falls generating station - and agreed to update the price of electricity from Churchill Falls, in accordance with an agreement negotiated between the parties:

CHURCHILL FALLS

In March 2025, the Company amended and extended an existing short-term energy sales agreement to sell banked Muskrat Falls energy and upgrade Churchill Falls energy to Hydro-Quebec at a negotiated price.

Accordingly, for the period from January 1, 2025, until the date of the signing of the amended agreement specified above, we request that we be provided with:

- *copy of the agreement in effect prior to its amendment (or a link to said agreement)*
- *the volume(s) of energy traded during this period*
- *the purchase cost to Hydro-Québec for electricity from both Muskrat Falls and Churchill Falls, itemized by transaction volume where applicable*

Similarly, for the period from the date of signing the amended agreement through the end of 2025, we request that the same information as set out above be provided to us - namely,

- *copy of the agreement in effect following its amendment (or a link to the amended agreement)*
- *the volume(s) of energy traded during this period*
- *the purchase cost to Hydro-Québec for electricity from both Muskrat Falls and Churchill Falls, itemized by transaction volume where applicable.*

Please be advised that access to the records responsive to your request have been withheld in full, in accordance with the following exceptions to disclosure, as specified in the **Access to Information and Protection of Privacy Act (the ATIPPA)**:

Section 39(1)(a)(i): The head of a public body shall refuse to disclose to an applicant information that would reveal commercial, financial, labour relations, scientific or technical information of a

third party; **(b)** that is supplied, implicitly or explicitly, in confidence; and **(c)(i)**: harm significantly the competitive position or interfere significantly with the negotiating position of the third party;

Section 39(1)(a)(ii): The head of a public body shall refuse to disclose to an applicant information that would reveal commercial, financial, labour relations, scientific or technical information of a third party; **(b)** that is supplied, implicitly or explicitly, in confidence; and **(c)(ii)**: result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of **the Access to Information and Protection of Privacy Act, 2015** (the Act) (a copy of this section has been enclosed for your reference). 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.

The appeal may be addressed to the Information and Privacy Commissioner 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
Email: commissioner@oipc.nl.ca

You may also appeal directly to the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section has been enclosed for your reference).

If you have any further questions, please contact me by telephone at (709) 733-5346 or by email at CassandraHearn@nlh.nl.ca.

Sincerely,

Cassandra Hearn

Cassandra Hearn
Access and Privacy Officer

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.
- (2) A complaint under subsection (1) shall be filed in writing not later than 15 business days
- (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
 - (b) after the date the head of the public body is considered to have refused the request under subsection 16(2).
- (3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.
- (4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.
- (5) The commissioner may allow a longer time period for the filing of a complaint under this section.
- (6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.
- (7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.
- (8) A complaint shall not be filed under this section with respect to
- (a) a request that is disregarded under section 21;
 - (b) a decision respecting an extension of time under section 23;
 - (c) a variation of a procedure under section 24; or
 - (d) an estimate of costs or a decision not to waive a cost under section 26.
- (9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.
- (2) An appeal shall be commenced under subsection (1) not later than 15 business days
- (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
- (b) after the date the head of the public body is considered to have refused the request under subsection 16(2).
- (3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.
- (4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).