newfoundland labrador hydro

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October 30, 2026

VIA EMAIL

[redacted]

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act*, 2015 (File #: PB/1391/2026)

On October 2, 2026, we received your request for access to the following records/information:

> *I am requesting clarification and public copies or links concerning the Churchill Falls agreements identified in Hydro's published responses PB/241/2026, PB/1057/2026 and PB/566/2020.*
> *1. PB/241/2026 Appendix A, question 4, asks for the 1999, 2021 and 2024 contracts, but the response refers to "*1998, 2021, and 2024." Please clarify the year difference and identify the relevant instruments by exact title, date, parties and amendments.*
> *2. Please identify any publicly available or subsequently released copies of the June 1999 guaranteed-winter agreement, December 2021 additional-energy agreement, March 2024 banked-energy agreement and March 2025 amendment or extension. Direct public links or filing references would be helpful.*
> *3. Please identify public copies of the water lease and amendments underlying the 2060 expiry and further 99-year option described in PB/566/2020, and of the shareholder agreement or reserved-matter provisions underlying the statement that certain decisions require each shareholder's approval.*
> *4. For documents still withheld, please advise whether a public record list or severed version identifying instrument titles, dates, parties, execution/signatory fields and amendment chronology is available.*

Please be advised that access to the records responsive to your request has been granted. Please see the Appendix A attached hereto. In keeping with our standard practice, it is our intention to post this letter on the Newfoundland and Labrador Hydro website.

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).

Appendix A

1. PB/241/2026 Appendix A, question 4, asks for the 1999, 2021 and 2024 contracts, but the response refers to "*1998, 2021, and 2024." Please clarify the year difference and identify the relevant instruments by exact title, date, parties and amendments.

Response: There is no 1999 contract, only 1998. The 1998 contract is the Churchill Falls Guaranteed Winter Availability Contract, dated November 1, 1998 between Hydro Quebec and CF(L)Co. Reference is made to such contract here:

https://www.assembly.nl.ca/business/electronicdocuments/MOU-DatedDecember12-2024.pdf

The remaining is still withheld under sections: 34(1)(a)(i), 35(1)(d), 35(1)(g), and 39(1)(a)(ii), (b), and (c)(i).

Section 34(1)(a)(i): The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to harm the conduct by the government of the province of relations between that government and the following or their agencies: the government of Canada or a province;

Section 35(1)(d): The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party;

Section 35(1)(g): The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body;

Section 39(1)(a)(ii), (b),(c)(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; that is supplied, implicitly or explicitly, in confidence; and the disclosure of which could reasonably be expected to harm significantly the competitive position or interfere significantly with the negotiating position of the third party.

2. Please identify any publicly available or subsequently released copies of the June 1999 guaranteed-winter agreement, December 2021 additional-energy agreement, March 2024 banked-energy agreement and March 2025 amendment or extension. Direct public links or filing references would be helpful.

None of these contracts are publicly available.

3. Please identify public copies of the water lease and amendments underlying the 2060 expiry and further 99-year option described in PB/566/2020, and of the shareholder agreement or reserved-matter provisions underlying the statement that certain decisions require each shareholder's approval.

The water lease is contained here:

THE CHURCHILL FALLS (LABRADOR) CORPORATION LIMITED (LEASE) ACT, 1961:
https://www.assembly.nl.ca/legislation/sr/statutes/c5161.htm

The Shareholders' Agreement is not publicly available.

4. For documents still withheld, please advise whether a public record list or severed version identifying instrument titles, dates, parties, execution/signatory fields and amendment chronology is available.

Reference to the 2021 agreement is located here: https://www.hydroquebec.com/relations-investisseurs/pdf/18K-2021.pdf

Reference to the GWAC is located here:

https://www.assembly.nl.ca/business/electronicdocuments/MOU-DatedDecember12-2024.pdf

Reference to the Shareholders' Agreement is located here:

https://nlhydro.com/wp-content/uploads/2026/06/CHURCHILL-FALLS-LABRADOR-CORPORATION-LIMITED-Final-FS.pdf