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To: Regulated Companies & Other Interested Parties

Increased Public Transparency for Administrative Monetary Penalties

In 2011, the National Energy Board (NEB) began proactively posting information on its compliance and enforcement activities to its website with the goal of providing information in a way that is clear and accessible. This disclosure also applies to the use of Administrative Monetary Penalties (AMPs).

The *Administrative Monetary Penalties Regulations (National Energy Board)* allow the Board to impose financial penalties on companies or individuals for non-compliance with designated NEB requirements intended to promote safety or environmental protection. They are a powerful tool both to prevent harm and to deter future non-compliance.

In the interest of greater public transparency around the issuance of AMPs, effective immediately the NEB will begin posting information relating to a Notice of Violation (NOV) as soon as it has been served. This information will include the name of the company or individual believed to have committed the violation, the issue date, the region and facility, the nature of the violation, and the amount of the penalty.

In addition, the NEB will also begin posting the complete NOV after the 30-day review period has expired or after the review process has been completed. The complete NOV will also be retroactively posted for all previously issued AMPs.

The NOV includes the following information:

- the name of the company or individual believed to have committed the violation,
- the relevant facts surrounding the violation, and
- the amount of the penalty, including identification of the mitigating and aggravating factors that were applied to arrive at the amount.

The AMPs Process Guide will be updated in the coming months to reflect this change. In the interim, this disclosure process will be applied to all future AMPs issued by the NEB.

Yours truly,

Sheri Young,
Secretary of the Board