



Canada Energy
Regulator

Régie de l'énergie
du Canada

Suite 210
517 Tenth Avenue SW
Calgary, Alberta
T2R 0A8

517, Dixième Avenue S.-O.
bureau 210
Calgary (Alberta)
T2R 0A8

26 October 2021

The Honourable Jonathan Wilkinson, P.C., M.P.
Minister of Natural Resources
580 Booth Street, 21st Floor, Room C7-1
Ottawa, ON K1A 0E4

Dear Minister:

On behalf of the dedicated public servants who make up the Canada Energy Regulator (CER), we would like to congratulate you on your appointment as Minister of Natural Resources.

The CER is Canada's federal energy regulator, working to keep energy moving safely across the country. The CER regulates infrastructure to ensure safe and efficient delivery of energy to Canada and the world, protecting the environment, recognizing and respecting the rights of the Indigenous peoples of Canada, and providing timely and relevant energy information and analysis.

We have been tasked to build an energy regulatory system that inspires trust and public confidence on behalf of Canadians. The CER's core responsibilities are what grounds our work, and the expected results are:

- Energy adjudication processes are fair, timely, transparent, and accessible;
- We prevent harm to people and the environment throughout the lifecycle of energy related activities;
- Canadians have access to relevant energy and pipeline information for knowledge, research or decision-making;
- Feedback provided by stakeholders and Indigenous peoples informs our decisions and our work;
- The right governance, resources, management systems, programs and services are in place to deliver on our program results.

This past year saw the release of the CER's first Strategic Plan. Our Strategic Priorities of Trust and Confidence, Reconciliation, Competitiveness, and Data and Digital Innovation are the shared lens that focus our work within our core responsibilities.

The CER is a Board of Directors-governed departmental corporation that operates with a level of day-to-day independence from the Department of Natural Resources. However, the organization is ultimately accountable to you, as Minister, and supports your accountability to the Prime Minister and to Parliament for the CER's overall performance. The attached memorandum contains more detail on the CER's mandate and governance structure.

.../2

There are a number of time-sensitive priority issues for the CER that you will want to be aware of.

1. We plan to release the CER's flagship publication *Canada's Energy Future 2021: Energy Supply and Demand Projections to 2050* in late November/early December. This annual publication receives significant media attention.
2. Under the *Canadian Energy Regulator Act*, the CER became an Agent of the Crown and the Crown Consultation Coordinator for certain mid-sized, CER-regulated projects. This has shifted roles and responsibilities for both the CER and Natural Resources Canada.
3. The CER anticipates conducting engagement with Indigenous peoples and stakeholders on important and wide-ranging amendments to two regulations in the coming months. This includes engagement on the CER's principal regulation for environmental and safety oversight of pipelines, *Onshore Pipeline Regulations*, and the *Cost Recovery Regulations*.
4. The Board and Commission of the CER are comprised of Governor in Council appointees, as is the Chief Executive Officer (CEO). Several appointments will end in the coming year and will require your attention.

As you know, the CER continues to oversee the Trans Mountain Expansion Project and the Line 3 Replacement Program and over the past year we have made significant progress in how we do this in partnership with their respective Indigenous Advisory and Monitoring Committees. This work is helping to shape and guide our broader approach to incorporating Indigenous perspectives into our monitoring and oversight activities.

We look forward to ongoing work with you in the fulfillment of our shared objectives and to an early meeting and opportunity to brief you on our priority issues.

Best regards,

Gitane De Silva
Chief Executive Officer

Cassie J. Doyle
Chairperson of the Board of Directors



Canada Energy
Regulator

Régie de l'énergie
du Canada

Transition Binder for Minister of Natural Resources

October 2021



Canada Energy Regulator

Background Information for Ministerial Transition

Table of Contents

I. CER OVERVIEW:	2
<i>MANDATE</i>	2
<i>CORE RESPONSIBILITIES</i>	2
<i>STRATEGIC PLAN</i>	3
II. CER AND GOVERNMENT OF CANADA:	6
<i>GOVERNMENT OF CANADA POLICY</i>	6
<i>OPERATING WITHIN THE BROADER GOVERNMENT OF CANADA</i>	6
III. CER GOVERNANCE STRUCTURE:	7
<i>OVERVIEW OF THE GOVERNANCE STRUCTURE</i>	7
ANNEX A: CER STRATEGIC PLAN	8
ANNEX B: CER GOVERNANCE DIAGRAM	9
ANNEX C: CER ORGANIZATIONAL CHART	10
ANNEX D: CER GOVERNANCE BIOGRAPHIES	11



I. CER OVERVIEW:

MANDATE

This section contains an overview of the Canada Energy Regulator’s (CER) mandate. The CER regulates infrastructure to ensure safe and efficient delivery of energy to Canada and the world, protecting the environment, recognizing and respecting the rights of the Indigenous peoples of Canada, and providing timely and relevant energy information and analysis. The CER regulates interprovincial and international pipelines and powerlines, offshore renewable energy projects, oil and natural gas operations in frontier areas, and energy trade.






 Oil & Gas Pipelines	 Electricity Transmission	 Imports, Exports & Energy Markets	 Exploration and Production	 Offshore renewables
Construction, operation, and abandonment of interprovincial and international pipelines and related tolls and tariffs.	Construction and operation of international power lines and designated interprovincial power lines.	Imports and exports of certain energy products; monitoring aspects of energy supply, demand, production, development and trade.	Oil and gas exploration and production activities in the offshore and on frontier lands not covered by an Accord.	Offshore renewable projects and offshore power lines
CER Act, Part 2 and Part 3	CER Act, Part 4	CER Act, Part 7 and Part 1	Canada Oil and Gas Operations Act (COGOA)	CER Act, Part 5

Figure 1: Overview of CER Mandate

CORE RESPONSIBILITIES

This section contains information on the CER’s core responsibilities.

Energy Adjudication: Making decisions or recommendations to the Governor in Council on applications, which include impact assessments, using processes that are fair, transparent, timely and accessible. These applications pertain to pipelines and related facilities, international power lines, offshore renewable energy, tolls and tariffs, compensation disputes resolution, energy exports and imports, and oil and gas exploration and drilling in certain northern and offshore areas of Canada.



Safety and Environmental Oversight¹: Setting and enforcing regulatory expectations for regulated companies over the full lifecycle— construction, operation and abandonment— of energy-related activities. These activities pertain to pipelines and related facilities, international power lines, offshore renewable energy, tolls and tariffs, energy exports and imports, and oil and gas exploration and drilling in certain northern and offshore areas of Canada.

Energy Information²: Collecting, monitoring, analyzing and publishing information on energy markets and supply, sources of energy, and the safety and security of pipelines and international power lines.

Engagement: Engaging nationally and regionally with Indigenous peoples and stakeholders through open dialogue, asking questions, sharing perspectives, and collaboration. These activities pertain to all decisions and actions related to our legislated mandate.

STRATEGIC PLAN

This section contains an overview of the CER's first [Strategic Plan](#), released this past year. The CER's Board of Directors established this plan, incorporating input from the CER's Commission, Indigenous Advisory Committee, and a variety of stakeholders.

The Strategic Plan establishes a clear path forward for the organization and is a road map of what Canadians can expect from the organization in the years ahead. Grounded in the *Canadian Energy Regulator Act (CER Act)*, the Strategic Plan incorporates a bold Vision, Mission and Strategic Priorities that focus on improving how the CER delivers its mandate – it positions the organization on the right footing to fulfill our important role on behalf of Canadians.

The CER Vision is aspirational – setting the organization on a clear path of where we are headed.

An energy regulator with an exemplary workforce that has the confidence of Canadians; is dedicated to ensuring safety and environmental sustainability; builds strong relationships with First Nations, the Métis, and the Inuit; and enhances Canada's global competitiveness.

The CER Mission remains steadfast with safety at the core of our mandate. It is further framed with a commitment to respecting the rights of Indigenous peoples and continuing our work in energy information.

Regulating infrastructure to ensure safe and efficient delivery of energy to Canada and the world, protecting the environment, recognizing and respecting the rights of the Indigenous peoples of Canada, and providing timely and relevant energy information and analysis.

The CER identifies priority areas that strategically focus program activities. These Strategic Priorities extend beyond the outcomes of any one program. They require cross-organizational focus and leadership to drive a systematic shift in the way the CER works. The CER identified the following four interdependent Strategic Priorities:

¹ This program has submitted changes in the 2021-22 Departmental Results Framework (DRF) Amendment Cycle.

² This program has submitted changes in the 2021-22 DRF Amendment Cycle.



Trust and Confidence

The CER Act mandates and empowers the CER to do more to build the trust and confidence of Canadians in the organization's work and in the country's energy regulatory system.

The CER will accomplish this by increasing our efforts to raise awareness of, and involvement in, the different types of work we do. We intend to build respectful relationships with the Indigenous peoples of Canada, foster an engaged and empowered workforce, and build an increased connection to the people we serve.

In 2021–22, we will increase the effectiveness of our communications, transparency, collaboration and inclusive engagement efforts across all programs. We will use new approaches, technologies and straightforward communications to have more two-way conversations with Canadians. In addition, we will enable the CER's diverse team of experts and Canadians to participate in the important energy conversations taking place around us, share our data and analytics more openly, and improve our early engagement and public participation tools. Staff will be involved in implementing our Strategic Plan and in co-designing our desired organizational culture. We will also ensure we have an integrated and strategic human resources plan that positions the regulator for success for years to come.

Reconciliation

The CER is committed to building a renewed relationship with First Nations, the Métis, and the Inuit based on the recognition of rights, respect, cooperation, and partnership.

The CER Act enables and sets expectations for us to fundamentally transform the way we work with the Indigenous peoples of Canada. We embrace our new responsibilities and we have woven specific deliverables on Reconciliation into every aspect of our mandate. In doing so, we are helping to advance the Government of Canada's commitment towards Reconciliation, which is a whole-of-government priority.

In 2021–22, we will be advancing several initiatives in support of our Reconciliation Strategic Priority to transform the way we work with the Indigenous peoples of Canada, with a commitment to implementing the United Nations Declaration on the Rights of Indigenous Peoples. We will enhance Indigenous peoples' involvement in how we discharge our mandate by recognizing their unique cultures, knowledge and histories, improve the cultural competency of CER staff, and drive meaningful change in the CER's requirements and expectations of regulated industry.

In our journey towards Reconciliation, the work of the Indigenous Advisory Committee (IAC) will provide an invaluable source of wisdom and advice to the CER's Board of Directors as a direct voice for the Indigenous peoples of Canada.



Competitiveness

The CER's legislation notes the Government's commitment to enhancing Canada's global competitiveness through the work of the CER. Making timely and predictable decisions, facilitating innovation, and enabling sound projects into operations and through their lifecycle, are all areas where CER's regulatory oversight can impact global competitiveness.

The Competitiveness Strategic Priority will focus on improving transparency, predictability and efficiency of our lifecycle regulation; enhancement and innovation in our regulatory approaches; and, researching innovative ways for a regulator to contribute to Canada's transition to a low-carbon economy. We will engage regulated companies, Indigenous organizations, and stakeholders to explore and implement new regulatory approaches, identify and eliminate non-value-added methods, and clarify how the CER will approach new elements in its regulations with the CER Act implementation. We will use data to examine and streamline our own processes, eliminating regulatory requirements that do not deliver useful regulatory outcomes.

In 2021–22, we will enhance regulatory process transparency, guide industry with improved filing guidance, and work with other agencies to clarify new assessment factors. We will consult with participants in our regulatory processes to identify barriers and burdensome requirements that we can adjust while ensuring continued regulatory effectiveness. We will also initiate research on what regulators can do to assist in the transition to Canada's low-carbon energy future.

Data and Digital Innovation

The CER's Data and Digital Innovation Strategic Priority will create a sustained focus and culture throughout the organization for using data and information in a way that is meaningful for staff, industry, Indigenous peoples and the public. By investing in data-focused skills, solutions and systems, we will enable staff to deliver competitive regulatory services for the twenty-first century.

In 2021–22, the CER will offer basic and discipline-specific data skills training to CER staff. A data-savvy workforce will have the right competencies to deliver effective regulatory services, keeping pace with the state of the industry. The CER will prioritize data-driven solutions to fuel innovation as a modern regulator. We will mine and structure larger datasets to draw regulatory insights that may not be obvious through individual processes, projects or single-stage lifecycle analyses.

Additionally, the CER will continue to streamline several single-purpose regulatory tracking systems for routine administrative applications, leading to efficiencies for regulated companies and improving regulatory effectiveness by collecting and disseminating higher quality data.



II. CER AND GOVERNMENT OF CANADA:

GOVERNMENT OF CANADA POLICY

This section contains information on how broader Government of Canada policy applies to the CER. The CER is subject to broader Government of Canada policy, as applicable and respecting the Commission's independent adjudicative authority. This includes policies and management requirements of the Treasury Board. The CER regularly works with other government departments and agencies in the interest of policy development and delivery of its legislated mandate.

The Governor in Council and the Minister, as applicable, may provide policy guidance and direction to the CER on matters of general application in a variety of ways, including but not limited to regulation, directions of general application on broad policy matters section 13 of the CER Act, other written policies of general application, and correspondence. For example, communications may pertain to matters such as the applicability of government priorities or policies to the CER, or the establishment as appropriate of objectives for the CER.

The CER also has a specific mandate under sections 80 through 84 of the CER Act to provide policy advice and recommendations to the Minister, both at the Minister's request (mandatory) and at its own initiative (discretionary). Further, the CER may, on request, provide advice to another federal, provincial or territorial department or agency (s.84). In support of this aspect of its mandate, the CER is required to maintain a broadly-based study and review of matters relating to the energy sector in Canada and abroad as well as the safety and security of regulated facilities. CER officials supporting the advisory mandate bear in mind the requirement to make use of data and information from Government of Canada sources whenever possible (s.86), as well as the confidentiality of advice to the Minister, which may not be published without the Minister's prior approval (s.83(2)).

OPERATING WITHIN THE BROADER GOVERNMENT OF CANADA

This section contains information on how the CER operates within the broader Government of Canada. As a Board-governed departmental corporation, the CER operates with a level of day-to-day independence from the Minister. However, the CER is ultimately accountable to the Minister of Natural Resources and supports the Minister's accountability to the Prime Minister and to Parliament for the CER's overall performance.

A distinctive responsibility of the CER is the adjudicative role exercised by the Commission, which is intended to ensure the independence of individual decisions. The assurance of this independence is central to the CER's mandate.



III. CER GOVERNANCE STRUCTURE:

OVERVIEW OF THE GOVERNANCE STRUCTURE

This section contains an overview of the CER governance structure. The CER Act establishes the governance structure of the CER. The roles and responsibilities of each component of the governance structure are described below:

- The *CEO* is responsible for the management and daily operations and affairs of the organization, including the supervision of its employees and their work and has all the responsibilities of a deputy head. The CEO works closely with the Board and provides the Board with the support needed to carry out its responsibilities. The CEO is responsible for providing the support services and the facilities that are needed by the Commission to exercise its powers and perform its duties and functions in accordance with the rules that apply to its work. The CEO may provide impartial and candid advice, but not direction, to the Commission on specific adjudicative matters.
- The *Board of Directors* is responsible for the governance of the CER, including providing strategic advice and direction. The Board's oversight is focused on results and outcomes. It does not normally engage in routine operations, which are the purview of the CEO, and it operates at a high, directional level in matters of management and staff. However, the Board, under the leadership of the Chairperson, is ultimately accountable to the Minister for ensuring that the CER delivers effectively on its mandate and is appropriately aligned with government policy. The Board is not permitted to provide advice or direction to the Commission on specific adjudicative matters. The Board is comprised of between five and nine directors, including the Chairperson and Vice-Chairperson and at least one of the directors is required to be an Indigenous person. There are currently eight directors.
- The *Commission* is responsible for making independent adjudicative decisions and recommendations pursuant to the CER Act and other legislation. The Commission is part of the CER and, although its adjudicative role is independent, it contributes to the overall effective delivery of the CER's mandate and Departmental Results Framework, in particular the CER's Core Responsibilities of Energy Adjudication and Safety and Environment Oversight. The Commission is responsible for ensuring continuous improvement and effectiveness in the areas in which it works. Except as otherwise prescribed by law, the Commission may make rules for carrying out its work and managing its internal affairs vis-à-vis adjudication, including rules respecting the powers, duties and functions of Commissioners, its procedures and practices, its sittings and its decisions, orders and recommendations. The Commission is comprised of up to seven full-time Commissioners, including the Lead Commissioner and Deputy Lead Commissioner and at least one full-time Commissioner must be an Indigenous person. The Commission may also include a complement of part-time Commissioners.
- The *Indigenous Advisory Committee (IAC)* provides broad and strategic advice directly to the Board of Directors that is focused on how to enhance the involvement of the Indigenous peoples of Canada and Indigenous organizations in CER-regulated infrastructure. The IAC is not a decision-making body, nor does it engage in CER operational matters or provide advice on any specific projects or matters before the Commission.



ANNEX A: CER STRATEGIC PLAN

Strategic Plan

<h3>Mission</h3>	Regulating infrastructure to ensure safe and efficient delivery of energy to Canada and the world, protecting the environment, recognizing and respecting the rights of the Indigenous peoples of Canada, and providing timely and relevant energy information and analysis.
<h3>Vision</h3>	An energy regulator with an exemplary workforce that has the confidence of Canadians; is dedicated to ensuring safety and environmental sustainability; builds strong relationships with First Nations, the Métis, and the Inuit; and enhances Canada's global competitiveness.

TRUST AND CONFIDENCE:

Fostering trust and confidence of Canadians in the CER through robust communications, transparency, collaboration and inclusive engagement; building respectful relationships with the Indigenous peoples of Canada; and fostering an engaged and empowered workforce.

RECONCILIATION:

Transforming the way we work with the Indigenous peoples of Canada, with a commitment to implementing the United Nations Declaration on the Rights of Indigenous Peoples, by enhancing their involvement in how we discharge our mandate recognizing their unique cultures, knowledge and histories; building renewed relationships based on the recognition of rights, respect, co-operation and partnership; improving the cultural competency of the CER and its staff; and driving meaningful change in the CER's requirements and expectations of regulated industry.



DATA AND DIGITAL INNOVATION:

Creating a data and digital innovation culture and systems that enable the effective delivery of the CER's mandate; allow for improved public access, use and analysis of accurate data and energy information for meaningful participation and informed decision-making; and enhance opportunities for digital engagement.

COMPETITIVENESS:

Enhancing Canada's global competitiveness by improving transparency, predictability and efficiency throughout the regulatory lifecycle, while driving innovation that contributes to the transition to a low carbon economy.



ANNEX B: CER GOVERNANCE DIAGRAM

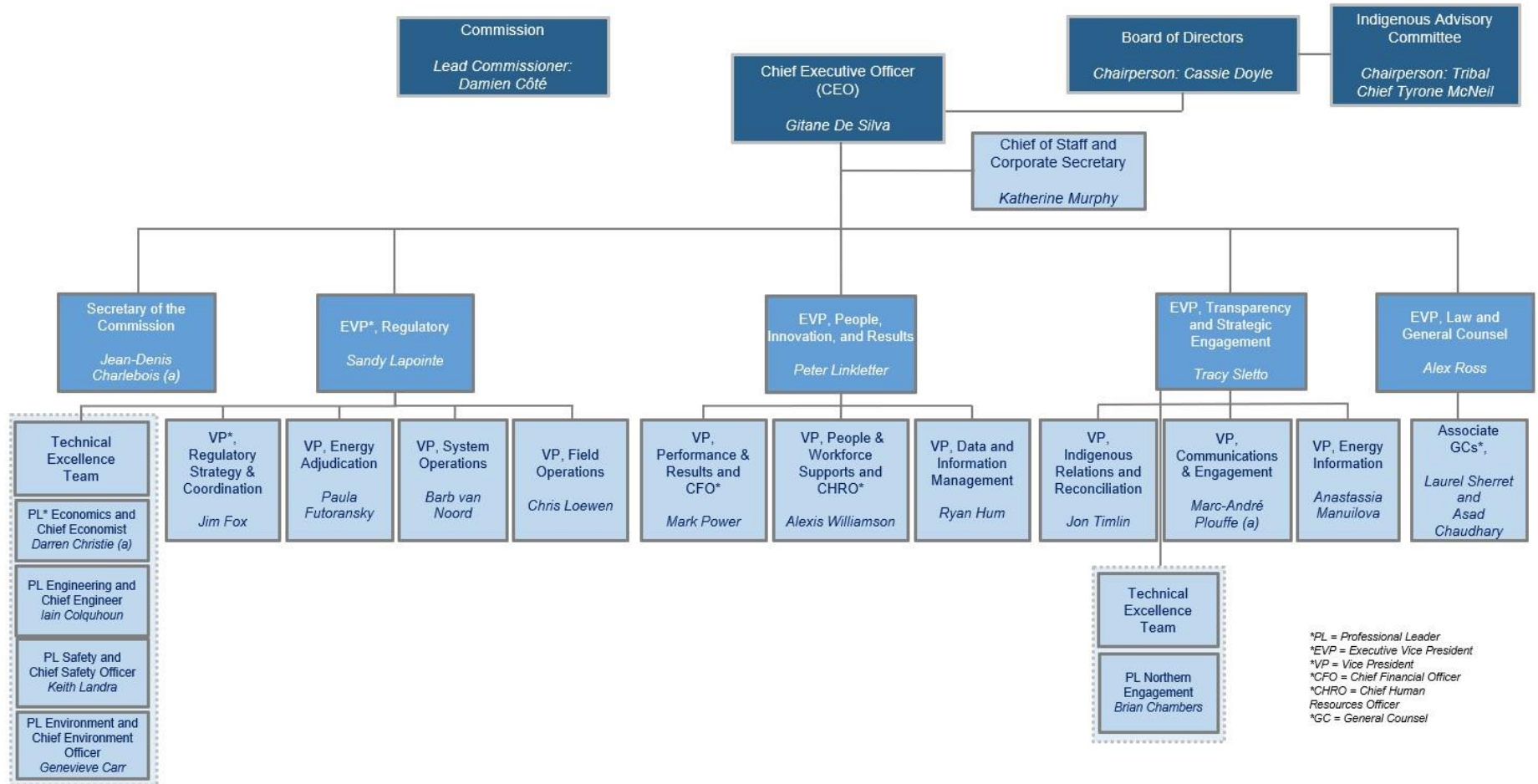
The following diagram depicts governance of the CER, which is the accountability of the Board of Directors. It demonstrates CEO and staff support provided to the Commission and the corporate management system. The Board of Directors provides the strategic direction to the whole of the organization as well as a governance connection to the Minister. The Board also receives advice, on behalf of the CER, from the Indigenous Advisory Committee.

The Governance diagram does not represent reporting or functional relationships. This diagram does support a shared understanding of how each area works with, and relies upon the others, to achieve organizational outcomes.





ANNEX C: CER ORGANIZATIONAL CHART





ANNEX D: CER GOVERNANCE BIOGRAPHIES

Board of Directors

Cassie Doyle, Chairperson



Cassie Doyle has had a distinguished career in the public service, where she served at the executive level in all three levels of the Government in Canada, including as Deputy Minister of Natural Resources Canada. She has gained a deep understanding of natural resource and environmental governance and management and has a strong track record of effective partnerships with non-governmental organizations, industry, First Nations, governments and academia. Ms. Doyle was recently the Chair of the Expert Panel on Integrated Natural Resource Management conducted by the Council of Canadian Academies and a Board Member of the Alberta Energy Regulator.

George Vegh, Vice-Chairperson



Mr. Vegh is the Head of McCarthy Tétrault's Toronto energy regulation practice and co-leader of the firm's national energy regulatory practice. Mr. Vegh is an Adjunct Professor of energy law and regulation at the Munk School of Global Affairs and Public Policy as well as the University of Toronto Law School, Mr. Vegh was previously General Counsel at the Ontario Energy Board.



Ellen Barry, Director



Ellen Barry is a former Deputy Minister with the Province of New Brunswick. As a career public servant she served as Deputy Minister with the Departments of Tourism & Parks, Wellness, Culture and Sport and the Department of Human Resources. Previous to these assignments, she served as Assistant Deputy Minister in the Department of Natural Resources and Finance. Her public service experience has provided her the opportunity to work extensively with multi-stakeholder groups. Since her retirement, Ms. Barry has worked on consulting assignments in New Brunswick as well as with the Institute of Public Administration (IPAC). She is a graduate of the University of New Brunswick.

Melanie Debassige, Director



Melanie Debassige has over 20 years of experience in Indigenous Economic Development and is a certified corporate director. She is currently employed as the Executive Director of the Ontario First Nations Technical Services Corporation and serves on the Board of Directors of the Ontario Clean Water Agency. She previously served as Chief of Staff for the British Columbia Assembly of First Nations and was an elected official with the M'Chigeeng First Nation. Ms. Debassige holds a Master of Business Administration from Cape Breton University and is a graduate of the Directors Education Program at the Institute of Corporate Directors and Rotman School of Management.



Alain Jolicoeur, Director



Alain Jolicoeur has served as a temporary member on the National Energy Board since 2016. He has more than 30 years of experience as an executive in the federal public service, including as the former President of the Canada Border Services Agency. Mr. Jolicoeur holds a Master of International Law and Customs from the University of Canberra, as well as degrees in Physics Engineering and Meteorology. He also holds an Institute of Corporate Directors Certificate from the Rotman School of Management.

Karen Leibovici, Director



Ms. Leibovici's professional background includes personnel management, labour relations and social work. She has over 20 years of combined political and public service experience as a Member of the Legislative Assembly of Alberta and as an Edmonton City Councillor. While on City Council, Ms. Leibovici was involved in numerous key policy issues and led many city-wide initiatives. She served twice on the Edmonton Police Commission and was the Vice Chair of the Civilian Review and Complaint Commission for the RCMP. She was also a Board member of Alberta's Municipal Government Board. In addition, Ms. Leibovici has undertaken leadership positions in other organizations such as President of the Federation of Canadian Municipalities (FCM), Chair of the Green Municipal Fund and President of the Alberta Association of Former MLA's. Karen has a Masters of Social Work Degree and a Post Graduate Diploma in Management.



Karim Mahmud, Director

Karim Mahmud has enjoyed a 30-year career as a leading energy lawyer in Canada and overseas. Originally from Alberta, and following law degrees at Oxford and Dalhousie Universities, Mr. Mahmud has practiced in major law firms in Calgary, London, Hong Kong, and Dubai. Most recently, he was partner and Head of Energy & Infrastructure for EMEA for a major international law firm. He has extensive experience in executing major energy, infrastructure, and privatization projects in Canada as well as over 45 countries overseas. This has included structuring innovative Indigenous investment partnerships and sustainable ESG compliant project structures.

François Tanguay, Director



François Tanguay has been involved in environmental work for over 45 years. Co- Founder of Friends of the Earth Québec, he was executive director for Greenpeace Quebec from 1992 to 1997, where his work centered on climate change issues.

Nominated as an administrative judge to the Quebec Energy Board in 1997, M. Tanguay served until 2007. He was then named Chair of the Quebec Energy Efficiency Agency. In 2008, he was asked by the Quebec Minister of Natural Resources to help put up a coalition for the promotion of wood in all sectors of construction. As director and main spokesperson of the Coalition Bois Québec, M. Tanguay worked closely with all levels of decision makers and investors.

M. Tanguay was nominated in July 2011 for a 30-month mandate to Quebec's Special Committee for a Strategic Evaluation Assessment on shale gas. In recent years he has worked on humanitarian projects in South Africa and with Oxfam-Québec in Peru.

Author of essays on environmental issues, including three on ecological housing, M. Tanguay was for five years columnist for The Sherbrooke Record on environmental issues. He has served as advisor to elected officials, private business, and labor unions.



Chief Executive Officer

Gitane De Silva, CEO



Ms. De Silva became the Chief Executive Officer of the CER in August 2020. Prior to joining the CER, she was a Special Advisor at TransAlta Corporation. She previously served as Alberta's Senior Representative to the United States and as Deputy Minister for Alberta International and Intergovernmental Relations.

Before joining the Alberta Public Service, Ms. De Silva spent 12 years in Canada's Foreign Service as a specialist in Canada-U.S. relations, serving in a variety of roles, including as Consul General of Canada in Chicago and as Counsellor (Environment & Fisheries) at the Canadian Embassy in Washington, D.C. She also served as Deputy Head of Agency at Status of Women Canada.

Ms. De Silva has a Bachelor of Arts in International Relations from the University of British Columbia and is a 2013 recipient of The International Alliance for Women (TIAW) World of Difference Award.



Commission

Damien Côté, Lead Commissioner



Damien A. Côté served as a temporary Member of the National Energy Board (NEB) since October 2016 (reappointed in April 2019). He has a wealth of expertise related to Indigenous and regulatory law and more than seven years of senior executive leadership. Prior to joining the organization, he worked for the Department of Justice Canada and the Public Prosecution Service of Canada, both in Iqaluit (Nunavut). He then served as the Executive Director of the Nunavut Water Board in Gjoa Haven (Nunavut), and as Chief Operating Officer of the Inuvialuit Regional Corporation in Inuvik (Northwest Territories). Prior to his appointment as Lead Commissioner, he served briefly as a Member of the Immigration and Refugee Board of Canada. Mr. Côté holds a Juris Doctor and a Licentiate of Laws from the University of Ottawa, a Master of Arts (Economics) from the University of Toronto, as well as a Bachelor of Engineering (Environmental) and a Bachelor of Arts (Economics) from Carleton University.

Kathy Penney, Deputy Lead Commissioner



Kathy Penney was a permanent member of the Canadian Nuclear Safety Commission until her appointment as a Commissioner. She has over 25 years of regulatory, environmental, health and safety (HSE) experience in the public and private sectors. Ms. Penney has expertise in environmental assessments, HSE assurance and compliance processes, quasi-judicial and federal government project hearings, community consultation, and engagement with Indigenous peoples. Her career includes roles with Jacques Whitford, in Newfoundland and Labrador and in Western Canada, and with Royal Dutch Shell, both in Canada and in Australia. Recently she was on the Assessment Review Board for the Rocky View County. She holds a Master of Science from the University of British Columbia and a Bachelor of Science from the University of Toronto. Ms. Penney is a Pearson College scholar and holds an Executive Management Certificate from Queen's University.



Mélanie Chartier, Commissioner



Mélanie Chartier is a lawyer, with more than 20 years of experience in a variety of areas, including aboriginal, environmental and administrative law, having practiced primarily with the Department of Justice. Ms. Chartier also served as a Member of the Immigration and Refugee Board of Canada from 2016 to 2019. Most recently, Ms. Chartier served as Crown Counsel at the Public Prosecution Service of Canada where she prosecuted regulatory offences. She is a passionate advocate for official languages and has occupied various roles promoting official languages within the federal public service as well as in her community. Ms. Chartier holds a Bachelor of Laws (civil) from Laval University, a Certificate of Qualification in common law from the National Committee on Accreditation, and a Master of Laws from the University of British Columbia, focused on the Crown's duty to consult with Indigenous peoples.

Trena Grimoldby, Commissioner



Trena Grimoldby was appointed as a Commissioner in 2019. She is a lawyer and an adjudicator. Prior to her appointment as Commissioner, she was a Public Chairperson at the Insurance Councils Appeal Board of Alberta (ICAB). She has also previously served as in-house counsel to two multi-national energy companies (Shell Canada and PETRONAS Canada), a midstream energy company (Pembina Pipelines Ltd.), the provincial oil and gas regulator in Alberta (the Alberta Energy Regulator (AER)), and in a private practice setting. She is the CER's representative at CAMPUT (the Association of Canada's Energy and Utility Regulators), where she is a member of the Executive Committee, Chair of the Regulatory Affairs Committee and Lead of the Women in Energy Community of Interest. She holds a Bachelor of Laws from the University of Alberta and a Bachelor of Arts with a specialization in English from the University of Alberta.



Wilma Jacknife, Commissioner



Wilma Jacknife served as a temporary member of the National Energy Board until December, 2018. She has more than 20 years of experience in practicing law, both in private practice and as legal counsel for Cold Lake First Nation in Alberta. She specializes in First Nations governance and law-making, consultation and negotiation of impact benefits agreements, business development, administrative law and employment and estates law. Ms. Jacknife also has participated in joint task forces to develop legislative frameworks for First Nations in Canada (Specific Claims Tribunal Act, Indian Oil and Gas Act and regulations). Ms. Jacknife holds a Doctor of Juridical Science in Indigenous Peoples Law and Policy and a Master of Laws in Indigenous Peoples Law and Policy from the University of Arizona – College of Law and a Bachelor of Laws from the University of British Columbia and two Bachelor of Art degrees from the University of Alberta.

Stephania Luciuk, Commissioner



Stephania Luciuk was appointed as a Commissioner in 2019. Prior to her appointment, Ms. Luciuk was in legal practice for over 20 years, with extensive experience in the energy sector, serving as in-house counsel at Imperial Oil Limited and Canadian Oil Sands Limited and in private practice with Macleod Dixon and Fasken Martineau DuMoulin. Her legal practice has spanned regulatory, commercial and environmental work as well as engagement with Indigenous peoples related to conventional/unconventional oil and gas development and pipelines. In 2017, Ms. Luciuk was appointed as an assistant professor in the Bissett School of Business at Mount Royal University. She also served part-time as a commissioner of the Appeals Commission for Alberta Workers' Compensation and as a mediator for the Provincial Court of Alberta. She is currently the CER representative to NARUC (the National Association of Regulatory Utility Commissioners). Ms. Luciuk holds a Juris Doctor from Osgoode Hall Law School at York University and a Master of Laws in international environmental law, focused on freshwater protection, from Dalhousie University.



Mark Watton, Commissioner



Mark Watton has extensive experience in regulatory law and public policy. He was first called to the bar in Ontario and practiced as a litigator in the Toronto office of Fasken Martineau DuMoulin. He relocated to Calgary to join the National Energy Board (NEB) where he was legal counsel for seven years, advising on multiple major project applications. Before his appointment as a Commissioner with the CER, he held the position of Senior Legal Counsel with TC Energy. He also worked in executive and policy advisory roles for numerous cabinet ministers in several federal government departments, and in the office of the Prime Minister. Mr. Watton holds an LL.B. from Dalhousie University and a Bachelor of Social Sciences (Political Science) from the University of Ottawa.



Indigenous Advisory Committee

Tribal Chief Tyrone McNeil, Chairperson



Tribal Chief Tyrone McNeil is Stó:lō and a member of Seabird Island Band. He has extensive experience working to advance First Nations languages and education, collaborating with First Nations across the country, and developing agreements and partnerships with government. Tribal Chief McNeil manages a First Nation construction company that employs up to 70 Indigenous men and women, with expertise in Operational Health & Safety, safety audits, human resources management, operations & budgeting in civil construction and pipeline industries.

Tribal Chief McNeil works closely with the Indigenous Advisory and Monitoring Committee (IAMC) for the Trans Mountain Expansion and Existing Pipeline, including as a member of several leadership and sub-committees, driving changes to improve practices of regulators to better align with the United Nations Declaration on the Rights of Indigenous Peoples, and to advance reconciliation. He holds numerous leadership positions, including President of Stó:lō Tribal Council, President of First Nation Education Steering Committee, AFN Chiefs Committee on Education rep for BC, Chair of Emergency Planning Secretariat, Chair of Seabird College, President of the Sqewqel (Seabird) Development Corporation and Standing Chair of Union of BC Indian Chiefs.

Tribal Chief Tyrone is an active hunter, fisher and gatherer and looks forward to teaching his four grandchildren as he has been taught and learned.



Kaella-Marie Earle, Vice-Chairperson



Kaella-Marie Earle is an Anishinaabekwe from Wiikwemkoong Unceded Territory and Aroland First Nation. She is currently employed as an EIT at Enbridge Gas Inc. in Engineering Construction, System Improvement where she manages construction of natural gas pipeline projects. She holds an Advanced Diploma in Chemical Engineering Technology from Cambrian College as well as a Bachelor of Chemical Engineering from Laurentian University.

Ms. Earle's career goal is to weave her Indigenous cultural values into her engineering work in a way that will lead the oil and gas industry to a lower carbon energy future. She works toward this as a member of Young Pipeliners Association of Canada where she serves as Co-chair of YPAC's Indigenous Inclusion Committee.

Ms. Earle delivers regular speaking engagements at conferences to advocate for Indigenous people and women in energy and mining, is the Director and Founder of Maamiwi Gibeshiwin Indigenous cultural training and allyship retreat, and is a delegate on the NWMO Indigenous Council of Youth and Elders.

Dr. Marie Delorme



Dr. Marie Delorme is CEO of The Imagination Group of Companies. She serves on the National Indigenous Economic Development Board, the Queen's University Board of Trustees, Donner Canadian Foundation, the Canadian Energy and Climate Nexus, and The Canadian Centre to End Human Trafficking. She is also an advisor to two Universities.

Dr. Delorme is a Member of the Order of Canada. She has received the Inspire Award in Business and Commerce; and was named as one of Canada's 100 Most Powerful Women. Other awards include: the University of Calgary Dr. Douglas Cardinal Award; Alberta Chamber of Commerce Business Award of Distinction; Calgary Chamber of Commerce Salute to Excellence Award, and Métis Nation Entrepreneurial Leadership Award.

Dr. Delorme holds a Bachelor of Science degree, a Master of Business Administration from Queen's University, and



	both a PhD and an Honorary Doctor of Laws from the University of Calgary.
--	---------------------------------------------------------------------------

Judy Gingell

	<p>Ms. Judy Gingell is an Elder of the Kwanlin Dun First Nation and is from the Gaanaxteidi Raven Clan. She has worked to advance Indigenous rights within the Yukon and across Canada for more than 40 years, playing instrumental leadership roles in self-governance and land claims negotiations with the Government of Canada.</p> <p>As the first female Chair of the Council of Yukon First Nations, Ms. Gingell facilitated the discussion among Yukon First Nations towards the signing of the Umbrella Final Agreement, a foundation for advances in self-governance. In 1995, she became the first Indigenous Commissioner of the Yukon Territory. Ms. Gingell sits on several Boards, including Yukon University and Aboriginal Peoples Television Network, and serves as Elder Representative on Kwanlin Dun First Nation Council. She is a Member of the Order of Canada and a recipient of the Queen Elizabeth II Diamond Jubilee Medal.</p>
-----------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Chief Harvey McLeod

	<p>Chief Harvey McLeod is Chief of the Upper Nicola Indian Band, Executive Director for the Interior Salish Employment & Training Society, and has nearly 40 years of executive, political and relationship and partnership development experience.</p> <p>Chief McLeod sits on several Committees and Boards, including as a Director of the BC Assembly of First Nations, and is one of five Nicola Chiefs currently working with the Province of British Columbia to co-manage the Nicola Watershed. Chief McLeod has been extensively and directly involved in the development and operations of the Indigenous Advisory Monitoring Committee (IAMC) for the Trans Mountain Expansion and Existing Pipeline.</p>
-------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



Nuka Olsen-Hakongak



Nuka Olsen-Hakongak is a Nunavut Inuk originally from Cambridge Bay who now resides in Iqaluit. Ms. Olsen-Hakongak is currently working through a Juris Doctor Degree with the Nunavut Law Program of the University of Saskatchewan College of Law affiliated with Nunavut Arctic College. She has also worked with Nunavut Tunngavik Incorporated where she focused on legal research and worked closely with senior legal counsel on Article 23 matters. Article 23 of the Nunavut Agreement is to increase Inuit participation in government employment in the Nunavut Settlement Area to a representative level. Prior to that, Ms. Olsen-Hakongak has held roles with the Government of Canada and the Government of Nunavut, and has worked in the fields of social services, community justice, income assistance, and child and youth support.

Ms. Olsen-Hakongak holds a Social Service Worker Diploma and received, as part of that program, the award for Community Involvement and awards for Academic Excellence. She is the Co-President of the Nunavut Law Student Society.

Scott Patles-Richardson




Mr. Scott Patles-Richardson is the founder of Indigenous Financial Solutions, a First Nations-owned company focused on economic development for Indigenous communities across Canada. He has extensive experience advising Indigenous communities, corporate finance, mergers and acquisitions, and has negotiated for First Nation and Métis communities in the area of land claims and Impact Benefit Agreements, specific to energy and resource development projects.

Mr. Patles-Richardson is also the CEO of an Indigenous private-equity fund, Métis Infinity Investments, and is the majority shareholder of Nations Translation Group (NTG) and acts as their Executive Chair. NTG is one of Canada's largest privately-held translation companies and is 100% First Nation owned and controlled with the balance of the shares held by the Little Red River Cree Nation's investment arm. He has previously worked in leadership roles with Ishkonigan Consulting and Mediation, Tribal Council Investment Group of Manitoba, Scotiabank, and Royal Bank of Canada. Mr. Patles-Richardson is a Mi'gmaq citizen from




	Pabineau First Nation in northern New Brunswick of which he has been active as a key senior advisor.
--	------------------------------------------------------------------------------------------------------

Chief Matthew T. Peigan

	<p>Chief Matthew T. Peigan is Chief of the Pasqua First Nation. Chief Peigan is the youngest of 5 boys to parents Ronald Peigan Sr. and Grace L. Peigan. He was first elected in 1993-2001 and again in 2011, currently serving a fifth consecutive term. Upon his initial election in 1993, Chief Peigan was the youngest serving Chief in Canada at just 26. Chief Peigan has also served as Director of Operations and Housing Coordinator with Pasqua First Nation, and as Flood Claim Lead Negotiator for other First Nations.</p> <p>Chief Peigan has been very active in engaging with industry as well as in interventions before the Canada Energy Regulator (formerly National Energy Board), including but not limited to the Energy East Project and Enbridge Line 3 Replacement Project. Chief Peigan is also a member of the Indigenous Advisory and Monitoring Committee (IAMC) for the Enbridge Line 3 Replacement Project. Chief Peigan is committed to both his home First Nation and to the advancement of all First Nations, and is a strong advocate for environmental, air and water protection measures. Chief Peigan was nominated to sit as a member of the Indigenous Advisory Committee by the Assembly of First Nations.</p>
-----------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Marci Riel

	<p>Marci Riel is the Senior Director of Energy, Infrastructure and Resource Management at the Manitoba Metis Federation (MMF). The department was created by the Metis government in Manitoba to address the development and management of energy projects and infrastructure constructed on lands utilized by the citizens and harvesters of the Manitoba Metis Community. The amalgamated department also manages the MMF's Resolution 8 engagement and consultation process and lands management files as well as the natural resources and conservation portfolios related to harvesting, environmental assessment, Metis monitoring, forestry, mining, migratory birds, commercial fisheries, wetland restoration, fish and fish habitat, environment, and climate change.</p>
-------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



	<p>Marci is not an elected representative of the Metis Nation. Her role on the Line 3 - Indigenous Advisory and Monitoring Committee is to best represent the needs of the citizens of the Metis Nation's Manitoba Metis Community and to assist Canada and the Canada Energy Regulator (CER) in better understanding the lifecycle impacts of projects on the collectively held rights, claims and interests of the Metis Nation. Ms. Riel holds a Master's Degree in Sociology and prior to joining the Manitoba Metis Federation in 2011, Marci worked in the field of public safety and crime prevention.</p> <p>Marci is the mother of two active teenage boys and together with her husband Kevin is proud to be raising the next generation of citizens of the Metis Nation. Marci lives in Winnipeg, Manitoba – in the heart of the Homeland of the Metis Nation – on one of the original Red River lots next to the historic Riel House site.</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------