

QUESTIONS AND ANSWERS

PUBLIC HEARING GUIDELINES AND INTERPRETATION NOTES

What are guidelines and interpretation notes?

Guidelines and interpretation notes are documents that clarify the Regulator's expectations for companies. They can also be a way to improve everybody's understanding of the way oil and gas resources are regulated in the Northwest Territories.

Interpretation notes explain the Regulator's views on the legal requirements for different activities.

Guidelines explain how companies can meet the legal requirements for their activities.

Who issues guidelines and interpretation notes?

The Regulator issues guidelines and interpretation notes. Section 18 of the *Oil and Gas Operations Act* gives the Regulator the authority to do so.

What are the objectives of the *Public Hearing Guidelines and Interpretation Notes* (guidelines)?

The objectives of the Guidelines are to:

- Describe OROGO's approach to and the process for public hearings;
- Describe how confidentiality of information fits into the public hearing process;
- Enhance certainty and predictability in regulatory decisions; and
- Promote accessibility and transparency in oil and gas regulation.

Why develop and release guidelines on public hearings?

The guidelines focus on public hearings because:

- Section 19.1 of the *Oil and Gas Operations Act* (OGOA) gives the Regulator the authority to hold public hearings in respect of the exercise of its powers or the performance of any of its duties and functions under OGOA. However, OGOA does not include a mandatory requirement to hold public hearings and leaves it to the discretion of the Regulator.
- The guidelines outline what type of applications may require a public hearing, hearing formats that may be appropriate and hearing processes that could be utilized if the Regulator deems that a hearing is required.

How were the guidelines developed?

The guidelines were developed by the staff of the Office of the Regulator of Oil and Gas Operations (OROGO), which supports the Regulator. OROGO received support from the Canadian Energy Regulator (CER) (formerly the National Energy Board).

OROGO reviewed the Rules of Procedure documents used by the Mackenzie Valley Land and Water Board and the Mackenzie Valley Environmental Impact Review Board which outline their respective public hearing processes.

OROGO also reviewed guidance documents used by the CER and the Alberta Energy Regulator that help explain their respective public hearing processes.

What topics are covered in the guidelines?

The guidelines provide information on:

- Types of applications that might require a public hearing;
- Purpose of holding public hearings;
- Scope of public hearings;
- Types of public hearings that the Regulator may hold;
- Access to information for public hearings; and
- How confidential information will be handled during a public hearing process.

Where can I get more information on the guidelines?

OROGO's website has a copy of the guidelines at www.oro.go.gov.nt.ca

OROGO staff can also answer questions about the guidelines. Call Peter Lennie-Misgeld at 867-767-9097 or email him at Peter-Lennie_Misgeld@gov.nt.ca for more information. Peter can also arrange presentations on the guidelines for your organization.

Who is providing feedback on the guidelines?

Everyone is welcome to provide feedback on the guidelines.

OROGO has directly contacted Aboriginal governments and organizations, companies operating in the NWT, other regulators, industry groups, the territorial and federal governments and environmental non-governmental organizations for their feedback. OROGO has also advertised in NWT newspapers to reach the general public.

How do I provide feedback on the guidelines?

Please provide your feedback on the guidelines by writing to oro.go@gov.nt.ca. You will receive a response confirming that OROGO has received your feedback.

What is the deadline for providing feedback?

The deadline for providing feedback is **March 2, 2020**.

What will be done with the feedback received?

The feedback received will be summarized and made public, along with OROGO's responses. This summary document will be available in March 2020.

When will the guidelines be issued?

OROGO expects to issue the guidelines in March 2020.