



National Energy
Board

Office national
de l'énergie

REGULATING IN THE PUBLIC INTEREST



ISSUE: REGULATING IN THE PUBLIC INTEREST

One of the National Energy Board's (NEB or Board) primary roles is to review applications to build and operate energy pipelines and make a decision or recommendation to the Federal Government about whether or not these projects are in the "present or future public convenience and necessity." In other words, are these projects in the Canadian public interest?

But what does that really mean?

The Canadian public interest includes all Canadians and refers to a balance of environmental, economic, and social interests that changes as society's values and preferences evolve over time. Before

making a decision, the NEB works hard to assess the overall public good a project may create and its potential negative aspects, weigh its various impacts, and make a decision or recommendation. Simply put, we need to answer the fundamental question: Would Canada be better or worse off if a particular project were to go ahead?

The Canadian public interest encompasses local, regional, and national interests. The people living closest to the project and those having direct economic interests are more likely to experience larger burdens, benefits, or both. Other burdens and benefits may be spread through the regional or national environment, economy, and Canadian society. Still, the NEB must make its decision or recommendation based on the overall Canadian, public interest.

To make things even more challenging, the public interest can change over time. To understand these changes, it's critical for the NEB to listen to what Canadians have to say about their interests and values, and how they may be impacted by the development and operation of energy infrastructure.

One of the ways we hear from Canadians is through our application assessment process. The NEB has a number of options for assessing an application. They include non-hearing application assessments as well as written public hearings and oral public hearings.

QUICK FACTS:

- The NEB reviews applications to build and operate new energy pipelines and makes its decision or recommendation based on the Canadian public interest.
- The Canadian public interest includes all Canadians and refers to a balance of economic, environmental and social interests.
- Given that the public interest changes over time, it's critical that the NEB listens to what Canadians have to say about their interests and values.

Each application is subject to a thorough and rigorous examination including an environmental assessment. Our assessment panels are drawn from our Board members – with each bringing a valuable and diverse set of experiences and knowledge. Our Board members are farmers, scientists, lawyers, engineers, public servants, and energy experts. The Board is supported and advised by professional staff from multiple disciplines who are dedicated federal public servants with specialized expertise in the various energy matters.

The NEB's decisions and recommendations are based on consideration and analysis of scientific, technical and other information, including traditional and local knowledge, placed on the record during an assessment process. Decisions and recommendations must be made within the legal framework enacted by Parliament and applied by the courts. Decisions are not based on the number of people who support or oppose a project.

If a project does proceed, the NEB does not simply walk away. In fact, the job has only just begun. The NEB plays an ongoing role in regulating the project throughout its lifecycle from the moment it is approved, through construction and operation until it is no longer useful and is eventually abandoned.

