



VIA EMAIL

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June 28, 2024

Hugh Akagi
Chief of the Peskotomuhkati Nation at Skutik
Peskotomuhkati Nation at Skutik
93 Milltown Blvd. Suite 222, 4th Floor
St. Stephen, New Brunswick E3L 1G5

Object: *Reply to your letter of May 29, 2024, requesting that a public oral/in-person hearing take place to review any new governance arrangement for the Point Lepreau nuclear reactor on Peskotomuhkati homeland*

Dear Chief Akagi:

This letter is in reply to your correspondence of May 29, 2024, addressed to Dr. Timothy Berube, Acting President of the Canadian Nuclear Safety Commission ("Commission"). You request that the Commission commit to hold an oral/in-person hearing for any potential "future request to change the ownership of the Point Lepreau reactor." As Commission Registrar, I am replying to this letter on Acting President Berube's behalf.

In your letter, you mention that you were informed through the media that the "Government of New Brunswick introduced legislation on May 15th, 2024, that would allow NB Power to enter a joint ownership arrangement with Ontario Power Generation (OPG) for the Point Lepreau nuclear reactor."

As mentioned in the May 6, 2024, correspondence of Heather Davis, CNSC's Acting Director for the Point Lepreau Regulatory Program Division, the Commission Registry has not received an application on this matter. As per the CNSC's normal licensing practice, should an application be received, CNSC staff will assess the application to determine whether it meets regulatory requirements and can be presented to the Commission for its consideration.

Section 24(2) of the *Nuclear Safety and Control Act* provides that "[t]he Commission may issue, renew, suspend in whole or in part, amend, revoke or replace a licence, or authorize its transfer, on receipt of an application." Section 40(5) provides that the Commission must hold a public hearing for the exercise of "power under subsection 24(2) to issue, renew, suspend, amend, revoke or replace a licence" or "any other matter within its jurisdiction under this Act, if the Commission is satisfied that it would be in the public interest to do so."

Depending on the nature of any application, the Commission would determine if it holds a public hearing and the type of public hearing (in-person, virtual or in writing). A notice of hearing would be issued to inform Indigenous Nations and communities, as well as the public and other interested parties, of the format of the hearing and to provide information on the deadlines for submission of documents.

Please rest assured that the request of the Passamaquoddy Recognition Group Inc to intervene orally at a potential future hearing regarding the Point Lepreau nuclear generating station will be considered by the Commission in determining the format of such a public hearing.

Should you have any further questions on the Commission processes, please do not hesitate to communicate with the Registry at <registry-greffe@cnsccsn.gc.ca>.

Sincerely,

Candace R. Salmon
Commission Registrar
Legal and Commission Affairs Branch, CNSC
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c.c.: Honourable Jonathan Wilkinson, Minister of Natural Resources Canada
(rncan.minister-ministre.rncan@canada.ca; jonathan.wilkinson@parl.gc.ca)

Honourable Steven Guilbeault, Minister of Environment and Climate Change Canada
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Blaine Higgs, Premier of New Brunswick
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Lori Clark, President, CEO & Chief Nuclear Officer, NB Power
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