

the government to the needs of Canadians and better government for Canadians.

The minister proposed a couple of amendments, one of which is fairly technical. One relates to a six months' hoist. That one is exactly the same as the amendment our party proposed on second reading, which the Liberals voted against. I am pleased to see that they can learn, albeit slowly, and have come around to recognize the wisdom of putting in at this point in time that period of six months during which it is hoped that sincere negotiations can occur between the provinces of Quebec and Newfoundland and that that question of the Labrador power can be resolved in the way things must be resolved in this country—by way of agreement and not by the use of legal muscle, or electoral muscle, or otherwise.

The great preponderance of concern about this bill has dealt with the question of electrical power transmission, the export of electrical power and so on. That has been the issue which has dominated the public and private debate. There has been the expression in the House and elsewhere that the issue was one of the province of Newfoundland wanting a corridor across Quebec so that they could export Labrador power, and the province of Quebec resisting that. That really is not the truth, Mr. Speaker. The reality is otherwise. I have in my hand a copy of a telegram from British Columbia Hydro, which says that the British Columbia Hydro Power Authority is greatly concerned and objects to the provisions of this bill.

We had before the committee, tabled with the committee, a letter from the government of New Brunswick, indicating that the government of New Brunswick is concerned and opposed to this bill. We had representations—

Mr. Lalonde: Not from the government of Nova Scotia.

Mr. Andre:—from Hydro Quebec expressing their concern. So we have a situation where we have the government of Quebec, yes; the government of British Columbia, yes; the government of New Brunswick, yes; all opposed to this bill. So it is simple minded, and I do not think it contributes to better understanding, to say that somehow this bill has to do on the electrical side exclusively with this Quebec-Newfoundland problem, and that the government is trying to respond to one of the legitimate concerns of the Province of Newfoundland in its attempts to develop its hydro-electric potential.

In all of this debate about the electrical power aspects of this bill people have missed the fact that this bill also affects the oil and gas industry very substantially. There are some provisions in this bill which, in my view, are undesirable, if not offensive.

Clause No. 17 in the bill as reported by the committee indicates that decisions of the National Energy Board under Sections 52, 53 and 54 to change the tolls or pipeline tariffs can no longer be appealed to the federal court. Up to now, when the National Energy Board made decisions respecting the tolls that a pipeline may charge for transportation of its gas or oil, there was the ability to appeal the decisions to the federal court as part of national judicial system of the country. This bill would amend that and remove that right of appeal. Why, Mr. Speaker? We never received any adequate reason

for that. Of course, if you are big brother, it is nice to know that your decisions are final and that no one can appeal your decisions to another body and have them overturned.

Clause No. 18 would allow the National Energy Board to order a pipeline or gas distributor to transport someone's gas on a common-carrier basis. That could be a desirable thing, but it could be abused, Mr. Speaker. There are situations where, because of the way the legislation is drawn, a municipal distribution company, for example, could find itself in the position of being ordered to transport someone's gas, to its own detriment. One can envision a large industrial consumer purchasing its gas supplies directly from a gas producing company and having the National Energy Board order a distributor to distribute it. That could be very detrimental to the distribution company, other consumers and so forth. There should be some better definition of that part of those changes. It is not there.

• (2110)

Clause 26 of this bill contains provisions which can only be described as exceedingly offensive. The original bill given first reading in this House on April 7 of this year stated in Clause 25 that it would amend Section 84 of the old National Energy Board Act. Clause 25 says:

Subject to subsection (2) and the regulations, the Board may by order, with the approval of the Governor in Council, revoke or suspend a licence if

(a) any term or condition thereof has not been complied with or has been contravened; or

(b) in the opinion of the Board, the public convenience and necessity so requires.

This bill says that the governor in council can in fact cancel an export permit when the public convenience makes it necessary. What is the public convenience?

Mr. Deans: What is it?

Mr. Andre: That is going to be defined by—

Mr. Deans: I would like to know because I do not know. Nobody does.

Mr. Andre: That is right, nobody does. The public convenience will be defined by the minister and his minions. It can mean whatever they want it to mean. Understandably, there was a great deal of concern expressed about that provision that a contract could be cancelled. A company could get a contract to export some electricity or some natural gas and invest, these days, billions of dollars on the facilities to transport those energy commodities and then find that that export contract could be cancelled when the public convenience dictates. How can a company justify that kind of expenditure when a contract can be cancelled on the basis of what the minister and his minions decides is the public convenience? Ontario Hydro, Hydro-Quebec, the New Brunswick hydro utility company, the Canadian Petroleum Association and the Independent Petroleum Association of Canada all said this was a terrible provision. Showing how responsive it was, the Liberal Government of Canada amended that provision to read: