



ᓇᓱᐊᕗᑦ ልਲᓘᓱᐊᖅ ንᓄᓘᓘ
NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 8BW-LUP----

October 24, 2019

Kenny Ruptash
Nahanni Construction Ltd.
PO Box 2076, 100 Nahanni Drive,
Yellowknife, NT, X1A 2P6

E-mail: Kenny@nahannincl.com

Subject: Request for Confidentiality of Financial Information; Type “B” Water Licence Application 8BW-LUP----, Lupin Winter Road Project, Nahanni Construction Ltd.

Dear Mr. Ruptash:

The Nunavut Water Board (NWB or Board) received from Nahanni Construction Ltd. (NCL or Applicant) on October 23, 2019, for the Lupin Winter Road Project, a Request for Confidentiality with respect to NCL’s financial information (Request for Confidentiality).

The Request for Confidentiality outlined the reasons for the request and stated:

As a privately held company, NCL’s financial information is confidential; public disclosure of financial information, such as that contained in the Information, may result in financial loss, may prejudice NCL’s competitive position, and may interfere with negotiations.

In their request, the Applicant specified that:

NCL respectfully requests that the NWB consider the Information, in its entirety, as confidential in accordance with the relevant provisions of section 20 (1) of the federal Access to Information Act, and provide written confirmation to NCL setting out:

- i. *how NCL is to submit the Information to the NWB;*
- ii. *the specific limits of the NWB’s use of the Information; and*
- iii. *the method by which the NWB will either return (to NCL), or destroy the Information once the application process is complete*

The NWB has received and reviewed the Confidentiality Request, and finds the request to be reasonable. Accordingly, the NWB advised that the information will be handled in the following manner:

- i. The Applicant should submit the information electronically via email to the following recipient, identifying it as confidential:

Richard Dwyer
Manager of Licensing
Email: licensing@nwb-oen.ca

- ii. The NWB will keep the information confidential, will not print hard copies and will use the information solely for the purpose of determining whether or not the NCL is financially capable of completing the licensed undertaking, in accordance with terms and conditions of the Licence, including any reclamation.
- iii. Once the Board has completed its review of the information (within 30 days of the information being received), the NWB will delete all electronic copies, and will follow up with the Applicant to confirm once this has been deleted.

By copy of this letter, the Board is providing clear direction with respect to NCL's Request for Confidentiality regarding their financial information. The NWB acknowledges that the request for confidentiality has been granted on the basis of the rationale(s) asserted and is confirming that the information can be provided to the Board in confidence for the purpose of considering the Licence Application only, and in accordance with s. 20(1) of the federal *Access to Information Act*.

Should you have any questions or require any clarification with respect to the above, please feel free to contact our Technical Advisor via email at Derek.Donald@nwb-oen.ca or phone (867) 360-6338 (Ext. 32).

Sincerely,

NUNAVUT WATER BOARD

Stephanie Autut
Executive Director