

August 18, 2011

Registrar, Lobbyists Act
Bradley V. Odsen, QC
Office of the Ethics Commissioner
Suite 1250, 9925 - 109 Street NW
Edmonton, Alberta, T5K 2J8

I write to inform you of a possible contravention of the **Lobbyists Act** and to urge you to investigate and report on the matter without delay.

The Alberta Federation of Labour came into possession of a government of Alberta Briefing Note entitled, "**New West Partnership and project charter – "Collaboration and Information Sharing, Industry Water Use and Hydraulic Fracture Technology"**" (hereafter referred to as the 'Briefing Note'). The Briefing Note describes priority initiatives for the governments of British Columbia, Alberta and Saskatchewan to address fracture technology (a.k.a. "fracking") and water-use issues. I have attached a copy of said Briefing Note along with this letter.

Of particular concern is the section dealing with shale gas communications which states on page two:

Shale Gas Communications (GoA/CAPP & CSUG). CAPP has approached the GOA requesting collaboration to enhance public communication on Alberta shale gas development. The DOE along with SRD, AENV and ERCB, are currently reviewing the CAPP request to determine the level of government involvement.

Section 1(1)(e) of the **Lobbyists Act** defines the term "lobbying." Clearly the activity described in the Briefing Note is lobbying. That is, the activity described therein involves the development of directives and guidelines involved with the "public communication on Alberta shale gas development."

Furthermore, you'll note that according to the Briefing Note, CAPP "approached the GOA [government of Alberta] requesting collaboration." CAPP was not invited by the government to collaborate on public communication on Alberta shale gas development, rather CAPP approached the government. This distinction is important in that the **Lobbyists Act** allows individuals to submit information to a public office holder if that submission is requested by the public office holder (**Section 3(2)(c)**). The information in the Briefing Note makes it clear that is not the case here.

Thus, CAPP was lobbying the government of Alberta and although CAPP is in the Lobbyists Registry, none of the individuals lobbying the government on behalf of CAPP are registered as CAPP lobbyists.

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According to the Briefing Note, three people are listed as CAPP representatives: Richard Dunn, Lara Conrad, and Christa Seaman. Richard Dunn is a registered lobbyist with EnCana Corporation. Christa Seaman is a registered lobbyist with both Canadian Natural Resources Limited and Shell Canada Limited. Lara Conrad is not registered to lobby the Alberta government. We assume that these three people requested collaboration between CAPP and the Alberta Government to enhance public communications on Alberta shale gas development.

According to the **Lobbyists Act**, the designated filer for an organization must submit changes to the Registrar within 30 days after the change occurs (**Section 10(1)(a)** of the **Lobbyists Act**). It appears as though CAPP has failed to inform you, and by extension the Alberta public, of the addition of Richard Dunn, Christa Seaman and Lara Conrad to their coterie of registered lobbyists.

It is in the public interest that Albertans know who is lobbying the government and what they are trying to accomplish. It is our belief that the public interest has been undermined in this case. According to the Briefing Note, a private-sector, industry-oriented association (CAPP) approached the government to take the lead in developing a government public relations campaign on shale gas development in Alberta. The government appears to have acquiesced to this request and is in the process of determining government involvement, if at all.

Please consider this to be an official request for an investigation pursuant to **Section 15(1)** of the **Lobbyists Act** and if wrongdoing is found assess the highest penalty possible.

I sincerely look forward to your reply.

Yours sincerely,



Nancy Furlong
Secretary Treasurer
Alberta Federation of Labour