

MR. ROGERS, EXAM. BY MR. MERRICK

1 Scotia Power. So they weren't trying to go beyond in  
2 terms of commitments from Nova Scotia Power. They were  
3 trying to firm up and get a contractual commitment with,  
4 if possible, no equivocation to those coal volumes. So  
5 to that extent, their agenda was being furthered. To  
6 that extent they were derive an advantage compared to the  
7 fluidity of the undertakings that were given by N.S.P.C.

8 Q. Why would you recommend that it would be your  
9 Department that would attempt to get or negotiate such  
10 certainty?

11 A. Well, first of all, my Department had responsibility  
12 for DEVCO so that it was -- certainly the direct line  
13 reporting responsibility was to us. You'd like to say  
14 that, to DEVCO and N.S.P.C., "Please go and resolve this  
15 problem," but it wasn't ever getting result. And in  
16 order to ensure that this issue of the future of the  
17 undertakings of the Nova Scotia Government and N.S.P.C.  
18 towards DEVCO was resolved, it was -- the purpose of this  
19 memo is to insert ourselves, and myself in particular,  
20 into a position where we'd undertake direct discussions  
21 with the two in an attempt to resolve it.

22 Q. When dealing with government processes and  
23 Departments, we obviously can't apply the typical  
24 conflict of interest criteria, but in this case your  
25 Department really was representing DEVCO and, at the same