

**Waterkeeper Alliance - SEM-03-001 (Ontario Power Generation) - SEM-03-005 (Montreal Technoparc) - SEM-04-005 (Coal-Fired Power Plants)**

Questions:

	Yes	No	I don't know
Did the Citizen Submission procedure seem to be useful?	<b>x</b>		
Were you satisfied with the CEC's handling of your petition?			<b>x</b>
Did the CEC's resolution of your petition seem technically and legally appropriate?	<b>x</b>		
Did the CEC's resolution seem just?			<b>x</b>
Did the CEC's response time seem appropriate?		<b>x</b>	
How much time did the procedure take (in months)?			<b>Varied w/ submissions</b>
How much money did you or your organization invest in preparing and following up your petition (in C\$, Mx pesos, US\$)?			<b>Staff time</b>
Did the Citizen Submission procedure seem to be useful?			<b>Generally</b>

1. When and how did you learn about the citizen submission process?

**I first learned of the citizen submission process about 10 years ago when I worked with the NYS AG's office on a filing related to Ontario coal-fired power plants.**

2. How difficult was it to gather information on how to use the SEM process? What institutions, organizations, resources, or establishments did you consult, if any, to learn about the SEM process and how to use it?

**I found the submission process itself to be fairly well explained in the materials located on the CEC's website in the submission materials. Those, along with the full record of past submissions and CEC determinations were very helpful in crafting my submissions.**

3. Did you know about the "Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the [NAAEC]" (the "Guidelines") published in the CEC booklet "Bringing the Facts to Light"? If so, did you consult them? How helpful was it? Was there any information not included in the Guidelines that might have helped you in preparing your submission?

**I did rely on the guidelines and found them helpful. It was a few years back, but I seem to recall that they did not cover some of the more nuanced issues surrounding a submission, like the issue of "exhaustion".**

4. Did you contact the CEC Secretariat prior to preparing a submission, and if so, for what reason (i.e. information gathering, questions about procedure, etc)? Was the response of the Secretariat, if any, helpful? Why or why not?

**I do not recall contacting the Secretariat prior to preparing the submission, but did have contact after and during the submission process.**

5. Why did you choose the SEM process for addressing the matters you raised in your submission?

**I have done 3 submissions, and in each case thought the SEM process useful for different reasons. On the Technoparc case, it was a matter of resources and some frustration with the Canadian Fisheries Act process. With the Ontario and US Coal-Fired Power Plants submissions, I thought the issues raised were broad enough and international enough to warrant the CEC's attention.**

6. What outcome did you expect from the SEM process at the time of your submission? Sanctions? Recommendations? Conclusions?

**I knew going in that the end result was a factual record and had no expectations for sanctions. I think that is one of the things that needs to change about the SEM process.**

7. Did the processing of your submission in any way affect or impact the situation you were addressing, and if so, how? Was this impact consistent with your hopes and expectations?

**I had mixed results for my 3 submissions, but, ultimately, I think that in each situation, the conditions of which I complained remained largely unchanged.**

8. Has the outcome of the SEM process with respect to your submission helped you to understand the relevant environmental law(s) and the government's decisions with respect to enforcing those laws? If so, in what way?

**Not really - I really needed to learn the laws before being able to effectively use the SEM process.**

9. Did you pursue any domestic legal options regarding the matters raised in your submission? If not, why not? If so, why did you also file a submission?

**I did pursue side options related to one of my filings, but thought the SEM process would add to the overall effort to force changes.**

10. If the government Party filed a response to your submission, was the response helpful in understanding the Party's positions and decisions with regard to the matters you raised, and if not, why? Did the response provide information that you were seeking?

**I was not impressed by the government filings in any of the submissions, sensing a reluctance to admit problems and a need to make excuses rather than responding in ways to correct problems.**

11. Did you have any contact with the government Party regarding the matters raised in your submission during or after conclusion of the SEM process, and if so, was this contact helpful? If not, would such contact have been helpful?

**No.**

12. How long did it take for your submission to be processed? Include the time from the point that you submitted the petition to the factual record or other final decision. Do you believe that this is a reasonable amount of time for processing of submissions? If not, what recommendations would you make for improving the timeliness of the process?

**It varied from several months to several years. I think, particularly in the case of the US power plant submission, politics played a role in creating a significant lag between the time of the submission and any real activity in the matter. If the SEM process is to have any value, it must be de-politicized.**

13. What action have you undertaken with regard to the matters raised in your submission after the conclusion of the SEM process? Do you expect or wish that the CEC continued to be involved following the conclusion of the process, and if so, how?

**I have engaged little following the close of the processes on my submissions given the time and resource constraints of the non-profit world. I had wished that the CEC would be more engaged in post-submission efforts.**

14. How costly was it for you to use the citizen submission process? Were the costs in line with the benefits you received from the process?

**The costs were mostly time and, given the outcomes, I would likely hesitate before embarking on another submission.**

15. What kind of assistance, if any, did you receive in preparing your submission? If you did not receive assistance, what kind of assistance do you wish you had received, if any?

**None, really, except the time form colleagues.**

16. Approximately how much time went into the preparation of your submission?

**Anywhere from many weeks to several months. I think the process can be streamlined and some of the burden taken off the submitters by making it a more interactive process, with affirmative involvement by the CEC in the submission process.**

17. Overall, was the citizen submission process a useful forum to raise the matters you highlighted in your submission? Why or why not?

**It was at the time, but again, I'm not sure I would quickly turn to it again for the reasons discussed above.**

18. Bearing in mind your experience with the article 14 and 15 process, do you think this mechanism needs to be revised and amended?

**Yes, there are several ways it should be amended.**

19. Do you have any other comment or recommendations regarding the citizen submission process?

**I am willing to have a discussion about thoughts and recommendations in the future.**