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Regulator

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du Canada

FY24/25 Trust and Confidence of Key Audiences

Final Report

Prepared for Canada Energy Regulator

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For more information on this report, please contact Canada Energy Regulator at:

heather.adams@cer-rec.gc.ca

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Canada Energy Regulator – F24/25 Trust and Confidence of Key Audiences

Final report

Prepared for Canada Energy Regulator by Environics Research

March 2025

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This public opinion research report presents the results of qualitative research (28 in-depth interviews) conducted by Environics on behalf of the Canada Energy Regulator. The research was conducted from February 12 to March 21, 2025.

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Executive summary

Background and objectives

The Canada Energy Regulator (CER), formerly the National Energy Board (NEB), is Canada's federal energy regulator. The CER oversees oil and gas pipelines and electrical powerlines that cross a national, provincial or territorial border. The CER makes decisions in the public interest about energy projects.

Having conducted quantitative research in prior years, the CER took a new approach for 2024-25 and sought to obtain input from contacts who are familiar with the CER and/or are impacted by CER-regulated infrastructure. The CER contracted Environics to conduct in-depth qualitative interviews with existing CER stakeholders.

This research will support the CER's 2024-27 Strategic Plan and the Trust and Confidence Strategic Priority Implementation Plan. The desired impact for this priority is: "Canadians, stakeholders, and Indigenous rights holders impacted by the infrastructure we regulate, trust that we enable safe, reliable, competitive and environmentally sustainable energy transmission." The work will also support the Communications Program's Performance Indicators Profile. The ultimate outcome for this program is: "Canadians know what the CER does and trust that we are competent."

Methodology

The project consisted of qualitative in-depth interviews to measure key audiences' trust and confidence in the regulator. Environics worked with the CER to develop a work plan covering the target audiences, stratification, quotas, etc. to ensure that the research provides good coverage of the desired audiences.

The study included 28 interviews conducted with 29 stakeholders (one interview included two stakeholders). Stakeholders were identified by the CER, had recent experience interacting with the CER, and included representatives from the following categories of stakeholder: Indigenous Peoples; Landowner or landowner organizations; Municipal organizations; Regulated Industry; and others who interacted with the CER in approximately the last calendar year.

The detailed methodology and participant profiles are presented in Appendix A of this report.

Statement of limitations

Qualitative research provides insight into the range of opinions held within a population, rather than the weights of the opinions held, as would be measured in a quantitative study. The results of this type of research should be viewed as indicative rather than projectable to the population.

Cost of research

The cost of this research was \$36,725 (including HST).

Key findings

The CER is best known as the national regulator of the oil and gas industry, particularly pipelines although a few participants also mentioned powerlines. Mentions also included applications and projects, interprovincial jurisdiction, protection of the public and “the old NEB.”

Participant interactions with the CER ranged from attendance at a single meeting to ongoing interactions on multiple files.

Overall, about three in four interviewed participants reported a positive impression of the CER, and, within that group, half were very positive. The remaining one in four were neutral, with only one individual who expressed a negative overall impression.

Two-thirds of participants consider the CER to be timely, and more than eight in ten each considered it expert, fair and transparent.

Respondents were asked to indicate their level of confidence in several aspects of the CER’s work. Many participants expressed confidence in the CER across the range of topics, including typically three to four in ten who expressed strong confidence.

Participants are most confident that the CER acts in the best interest of the public and works to protect the public and the environment.

Confidence is slightly lower for advancing reconciliation with Indigenous Peoples, that the CER’s regulatory tools are clear, and in the CER’s ability to enforce regulations and ensure compliance.

Participants are less aware and therefore less confident about the CER’s role in ensuring Canadians have access to information about CER responsibilities.

Overall individual participant trust in the CER ranges from 5-10 out of 10; the average is 7.8.

Several themes emerged when participants were asked what challenges the CER faces in gaining public trust.

Raising awareness of the CER and its roles and responsibilities was most frequently mentioned, followed by more proactive outreach to communities, more interaction with the public and increased consultations on projects.

When asked what specific actions or changes would increase stakeholder trust in the CER, several themes emerged.

Several stakeholders called for more collaboration or proactivity from the CER – for it to reach out with offers to attend stakeholder organization meetings or conferences, as well as listening to stakeholder advice and being responsive.

It was suggested that the CER could be doing more to educate stakeholders on how to get involved – perhaps providing training on how to apply to be an intervenor, how to get funding, and finding ways to increase public participation.

Several suggestions were made related to reducing regulatory/administrative burden, such as increased collaboration across teams within CER so that the same information is not requested more than once.

About seven in ten participants had participated in CER events. Most reported positive experiences.

When asked how well the CER listens to and addresses their concerns, most participants agree that it listens, but there is a mix of responses when it comes to addressing concerns.

When asked for suggestions to enhance CER engagement, slightly fewer than half of participants had no suggestions for improvement with several indicating that the CER is engaging well with them or their organizations. Among those with suggestions, several related to enhancing CER engagement with stakeholders by being more proactive and present in communities.

When asked about the effectiveness of CER communications, participants provided a mix of responses, including many who feel communications are generally effective, but also suggesting improvements.

Asked to name sources of information they rely on to learn about the CER's activities, participants most frequently mentioned the CER website followed by emails. Few participants mentioned other sources.

Political neutrality statement and contact information

I hereby certify as a senior officer of Environics that the deliverables fully comply with the Government of Canada political neutrality requirements outlined in the Communications Policy of the Government of Canada, and Procedures for Planning and Contracting Public Opinion Research. Specifically, the deliverables do not include information on electoral voting intentions, political party preferences, standings with the electorate, or ratings of the performance of a political party or its leaders.



Tony Coulson
Group Vice President, Corporate & Public Affairs
Environics Research Group
tony.coulson@environics.ca
613-699-6882

Supplier name: Environics Research Group

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For more information, contact heather.adams@cer-rec.gc.ca

Introduction

Background

The Canada Energy Regulator is the country's federal energy regulator, overseeing oil and gas pipelines and electrical powerlines that cross a national, provincial or territorial border. The CER makes decisions in the public interest about energy projects impacting Canadians.

The CER's roles and responsibilities include:

- Reviewing applications for new energy projects and upgrades to current projects.
- Providing oversight of oil and gas exploration and activities on frontier lands and offshore not otherwise regulated under territorial law or joint federal/provincial accord.
- Deciding what can be transported in pipelines and how much companies can charge for their services.
- Approving the export and import of natural gas and the export of oil.
- Providing Canadians with a neutral source of energy statistics, analysis and information; and
- Lifecycle regulatory oversight of oil and gas pipelines and electrical powerlines that cross a national, provincial, or territorial border.

Research rationale and objectives

The Canada Energy Regulator (CER) contracted Environics Research to conduct qualitative Public Opinion Research (POR) focused on key audiences with contacts provided by the CER. The work will support the CER's 2024-27 Strategic Plan and the Trust and Confidence Strategic Priority Implementation Plan. The desired impact for this priority is: "Canadians, stakeholders, and Indigenous rights holders impacted by the infrastructure we regulate, trust that we enable safe, reliable, competitive and environmentally sustainable energy transmission." The work will also support the Communications Program's Performance Indicators Profile. The ultimate outcome for this program is: "Canadians know what the CER does and trust that we are competent."

Methodology

The study included 28 interviews conducted with 29 stakeholders identified by the CER who had recent experience interacting with the CER and included representatives from the following categories of stakeholder: Indigenous Peoples; Landowner or landowner organizations; Municipal organizations; Regulated Industry; and others who interacted with the CER in approximately the last calendar year.

Statement of limitations

Qualitative research provides insight into the range of opinions held within a population, rather than the weights of the opinions held, as would be measured in a quantitative study. The results of this type of research should be viewed as indicative rather than projectable to the population.

About this report

This report begins with an executive summary outlining key findings and conclusions, followed by a detailed analysis of the qualitative results. A detailed description of the qualitative methodology is presented in Appendix A. The research instrument used to conduct this study is presented in Appendix B.

Detailed findings

A. Perceptions

Describing the CER

Q. *“If you were stopped on the street today and asked to describe the Canada Energy Regulator or CER, what would you say?”*

The CER is best known as the national regulator of the oil and gas industry, particularly pipelines although a few participants also mentioned powerlines. Mentions also included applications and projects, interprovincial jurisdiction, protection of the public and “the old NEB.”

Most participants noted the CER is a federal or national entity focused on energy regulation. A couple mentioned pipelines specifically, including mentions of inter-provincial pipelines. Protecting the public and ensuring the public is safe around oil and gas pipelines were also mentioned, and one participant mentioned damage prevention. A few participants also mentioned the CER’s role in regulating powerlines that cross provincial boundaries, and a few referred to the CER’s role in regulating pipelines that cross international boundaries.

One participant referred to the CER as similar to the Alberta Energy Regulator (AER) but focused on interprovincial pipelines. Another noted the multifaceted nature of the CER, suggesting it would be hard to explain all its functions to a lot of people who have little awareness of it. The CER was also described as a very process-oriented regulator that requires a lot of detail in applications and can be bureaucratic.

One participant noted feeling that the CER is politically driven – that its focus is on what the government wants and not necessarily what’s best for industry, growth, or environmental protection. This participant feels that the CER should be more independent from the government. Another mentioned feeling that the CER has a centralized view of Canada that doesn’t accurately reflect all regions, noting specifically the oil and gas industry is not seen the same way in the lower mainland as it is in Alberta.

One participant referred to the CER as a complicated organization, which is trying to evolve its role as a regulator and maybe struggling with balancing safety and environmental oversight while maintaining Canada’s competitiveness. A participant also shared their belief that the CER has lost sight of its mandate, which is reflected in the time it takes to get to decisions. The participant also felt that the CER is very focused on peripheral or vocal minority views that are capable of delaying and adding time, scope, and cost to reviews.

Another participant expressed feeling excited about being approached by the CER and being impressed with it wanting to be inclusive.

Recent interactions with the CER

Q. *“Please tell me a little bit about your recent interactions with the CER.”*

Participant interactions with the CER range from attendance at a single meeting to ongoing interactions on multiple files.

Participants’ recent interactions with the CER ranged from quite limited (attendance at a single meeting) to daily – including consultation, audits, inspections, applications, and more. Some attended information meetings and/or other engagements, some participated in committees.

Stakeholders with less experience with the CER had less knowledge about the organization but commented based on their specific contacts and perceptions.

The exposure of many participants to the CER is sector specific, meaning few have an overall view of the organization. Industry participants mentioned ongoing engagement on the Onshore Pipeline Regulations (OPR) in addition to regular and frequent interactions related to regulatory matters. Indigenous participants mentioned working on a committee that is developing a mechanism that would allow Indigenous Peoples to have a more active role in the CER regulation process, and Indigenous monitoring work. Land representatives mentioned the Land Matters Advisory Committee.

Overall impressions of the CER

Q. *“In general terms, do you have a positive or negative impression of the CER?”* (Very negative, negative, neutral, positive, very positive).

Overall, about three in four interviewed participants reported a positive impression of the CER, and, within that group, half were very positive. The remaining one in four were neutral, with only one individual who expressed a negative overall impression.

The most positive assessments (very positive) tend to come from participants with the least experience with, or exposure to, the CER or those who see themselves as collaborating with the CER (other government organizations or those with a role in matters related to the regulatory process). They had a good experience attending a meeting or conference, were pleased to have been invited to attend and impressed that the CER was consultative, open to discussion and information sharing, responsive to requests, willing to listen, and looking to change or improve things.

Positive overall impressions were also voiced by participants who have a long history with the CER and believe things have improved over time. A couple of these participants mentioned positive interpersonal interactions and the willingness of the CER to have conversations.

One of the neutral participants cited a lack of awareness about the CER and its relevance to the community, needing a better understanding of its role, and what it does. Another described the CER as good people with good intentions and noted that it would benefit from some organizational improvement around internal communications. This person was of the view that the CER appears to be disconnected internally – “siloeed.”

Others have mixed views, acknowledging some positive outcomes and service to the public interest, but also noting that timelines for decisions are very long, and outcomes are highly uncertain. This is believed to be driving away investment. The volume of paperwork required by the CER was raised as a concern, as was a “one-size-fits-all approach” wherein the same processes are followed for relatively minor applications as for major new builds.

The negative participant noted that, based on their experience, the CER gave the impression of not being responsive or fair, that the CER accepted flawed technical data, and the participant organization was forced to spend time and effort to do work it felt the proponent company should have been responsible for.

If key terms describe the CER

Q. “*To what extent does each of the following describe the CER? Timely, expert, fair, transparent.*”
(Not at all, not really, somewhat, fully describes)

Two-thirds of participants consider the CER to be timely, and more than eight in ten each consider it expert, fair and transparent.

Timely. On this measure, the participants who had the fewest interactions with the CER were the most inclined to believe the regulator is timely, saying the people are responsive and acknowledging they are not waiting on the CER for major decisions.

Those unwilling to give the CER full marks for timeliness cited various reasons:

CER is consistent in its timings, but that they are very slow compared to provincial regulators.

Lack of timeliness is intentional in order to get things right.

Improvement noted for small projects but remains slow when dealing with complexity.

A participant who did not consider the CER timely noted examples of decisions that came after 1000 days, and getting surprise decisions because they came so long after the submissions that they had forgotten about them.

Expert. Almost nine in ten participants consider the CER to be at least somewhat expert, with six in ten of that group saying it fully describes the CER with the rest only somewhat. One says it depends.

Most acknowledge that the CER has a lot of expertise, at least in some areas. However, it also noted that the scope CER regulates is very broad, so there are some areas where they have more expertise than others. Areas where participants think CER could use additional expertise include:

Experience working within the industry, to understand industry perspectives.

Environmental protection.

Expertise to evaluate if specific conditions had been met.

Metis cultural knowledge.

A couple of industry participants suggested that CER may be less technically expert than it once was because of a change of focus to engagement over technical regulation and increased bureaucracy and information requests. Some participant suggested that the CER relies on outsiders for subject matter expertise, such as service providers, contractors, and consultants.

Fair. Almost nine in ten participants consider the CER to be at least somewhat fair, with equal numbers saying that fair somewhat or fully describes the CER. Few said not really or not at all.

Again, the most positive comments were from participants who had participated in information meetings or engagement sessions, and the comments were based on limited exposure and referred to specific individuals or groups in the CER with whom they had dealt.

Other factors described as evidence of CER's fairness were:

The CER's alternative dispute resolution process.

CER inspections.

Treating different regulated companies the same.

Among those who did not think "fair" describes the CER, one stated that they don't think CER has the systems in place to be fair to Indigenous people and protect Indigenous rights and another noted "nobody in our community would say that the CER is fair – I didn't get a sense of balance."

An industry participant stated the belief that the CER favours certain inputs over others in the regulatory process, claiming that the CER currently gives more weight to Indigenous input over any other (landowner, proponent, etc.).

One participant was of the view that while the CER makes recommendations on projects, it is not the actual decision-maker so to that extent fairness rests with the federal government.

Transparent. Eight in ten participants consider the CER at least somewhat transparent. Two do not consider it transparent and two were unsure.

Some participants noted that the public facing aspects of the CER are very transparent in that a lot of material is published on the public record, that the CER is generally transparent because of public filings, and that proceedings are reported out in publicly accessible documents.

Others noted that the CER's internal processes and decision making seem less transparent. How are decisions made, who is responsible, why do some things take so long to move through the CER.

Another participant noted that the dialogue with the CER was reasonable, that they were able to articulate what is possible, what isn't and why. A different perspective is that sometimes CER representatives appear not to have authority to speak on a question, or don't want to give an answer they are not sure of, which can diminish confidence in CER's transparency.

B. Accountability and Performance

Respondents were asked to indicate their level of confidence in several aspects of the CER's work. Many participants express confidence in the CER across the range of topics, including typically three to four in ten who express strong confidence.

Participants are most confident that the CER acts in the best interest of the public and works to protect the public and the environment. Confidence is slightly lower for advancing reconciliation with Indigenous Peoples, that the CER's regulatory tools are clear, and in the CER's ability to enforce regulations and ensure compliance. Participants are less aware and therefore less confident about the CER's role in ensuring Canadians have access to information about CER responsibilities.

That the CER works to protect the environment

Eight in ten participants were at least somewhat confident that the CER works to protect the environment, including half of those who are very confident. Only two are not very confident and one is unsure.

Those who are most confident base that on the CER having a lot of inspectors, being very present and seeming to do a good job. Another indicates that it's a big part of their work.

Some participants with less direct involvement indicate thinking that the CER appears to be trying hard on this front.

Those who are less confident suggest that the CER does what has to be done rather than what should be done and that more work is needed. One noted that CER's activity on this front can create confusion when they are duplicating the work of other regulators. Another participant shared their view that the CER at times prioritizes economic considerations over environmental. Another was of the view that the CER attempts to balance environmental protection with economic opportunities while also suggesting that room for improvement remains.

That the CER works to protect the safety of Canadians

Three in four participants were at least somewhat confident that the CER works to protect Canadians, including more than four in ten very confident. One was not very confident with others neutral or unsure. One participant considered this not applicable, suggesting they don't see protecting Canadians as part of the CER's mandate.

Organizations that expressed the greatest confidence tend to be those that consider the CER a peer and/or as collaborator in their public education or awareness raising activities or those with limited exposure (e.g. attended a single meeting).

A participant who was not confident that the CER works to protect the public reported feeling that the success of industry is prioritized.

That the CER acts in the best interest of the public

Three in four participants expressed confidence that the CER acts in the best interest of the public, including three in ten who answered, “very confident.”

Several participants indicated that the CER “tries its best” and has good intentions to act in the public interest, rather than pointing to specific evidence.

One participant noted that the CER is very thorough in inspections, seems to have the public interest at heart, and does a good job.

Reasons given for being somewhat rather than very confident include increases in red tape/burden in recent years and questions around how the public interest is defined, with one Indigenous participant explicitly stating that the public interest is separate from indigenous Peoples and their rights.

Those who are less confident appear to recognize that the CER faces the challenge of balancing the views of multiple stakeholders.

Some cite the belief that the CER puts the interests of industry above those of the affected communities.

Others note that the loudest stakeholder groups can have disproportionate impact on CER decisions.

And another noted that in situations that are controversial or when stakeholders disagree, then the CER struggles to come to decisions.

That the CER works to advance reconciliation with Indigenous Peoples

Two in three participants are at least somewhat confident that the CER works to advance reconciliation with Indigenous Peoples, with half of these very confident. The remaining third could not judge the CER’s reconciliation efforts; only one participant is not confident.

Among Indigenous Participants, three are very confident and three are somewhat confident. Confidence among some Indigenous participants is based on their hope that major advancements are in development, with one suggesting the work being done now could be transformative and that CER is setting a standard on how things can be done differently. Another reported being less than fully confident because they see a need for a specific Indigenous oversight process for approved projects – a specific process for communities to follow if proponents are suspected of not following recommendations during the construction or operational phases.

Strong confidence in the CER’s efforts among non-Indigenous participants is based on meetings and other indications that the CER appears very focused on reconciliation.

An industry participant noted thinking that the CER is being overly influenced by reconciliation but that it hasn’t established some needed foundational definitions. Another mentioned that while active in this area, the CER is not always the best informed and has work to do in finding effective ways to advance reconciliation, suggesting that more regulation might not be the best way. A third mentioned the belief that this effort is not working well for First Nations or industry arguing that the current requirements are

overly bureaucratic and time consuming because they are one-size-fits-all rather than scoped relative to the projects being discussed.

In the CER's ability to enforce regulations and ensure compliance

Six in ten participants are at least somewhat confident in the CER's ability to enforce regulations and ensure compliance, including one in three who were very confident. Five participants were unsure, leaving two not very confident and two not at all.

The most confident participants noted that the CER has the authority to enforce compliance and that it is very active in this area. Another noted hearing of several examples of effective enforcement but also noted that a deficiency may be the treatment of specific landowners who repeatedly disregard regulations and that in this situation the CER's response may not have been as strong as it could have been.

Among those who were somewhat confident, the comments reflect that enforcement can be a slow process, or the feeling that the CER has the right intentions but is regularly faced with push back from industry. Another noted that the CER may lack the human resources necessary for inspections or other compliance and enforcement related activities.

Those who are less confident in the CER commented that this is an area for improvement and cite several perceptions.

That fines used in enforcement may not be impactful for the big companies.

That CER should be holding more companies to account for abandoned assets – although this may also reflect a lack of clarity around federal and provincial jurisdiction (i.e. abandoned wells versus pipeline assets that the CER does regulate).

Conditions on projects are argued to be too vague or don't require monitoring.

The CER doesn't have enough staff to monitor all the things it should be monitoring.

That the CER's suite of regulatory tools are clear

Six in ten participants are at least somewhat confident that the CER's suite of regulatory tools are clear, including three in ten who are very confident. Seven participants were unable to answer, leaving one not very and one not at all confident.

Very confident responses were provided by stakeholders in regulated industry, landowner organizations and participants from groups representing Indigenous Peoples. Aside from re-stating that the documents are clear, the only additional comment was that these instruments and tools should be used to preserve the performance-based nature of the regulatory process. It was argued that the instruments allow CER to provide clarity and guidance without creating unintended complications by recreating regulations. This relates to industry concerns about a potential shift from performance-based regulation to a prescriptive model.

Among the feedback from those who are somewhat confident in the clarity of the regulatory tools, some referred to them as a work in progress, noting that work is underway to revise various documents to

use more plain language. It was also noted that streamlining or centralizing would be helpful – reducing the regulations to fewer documents that are easier to keep track of. A couple of participants also referred to the documents as legal oriented or very technical, requiring experts to understand.

Those who were less confident made similar comments, noting that while all the documents are available, they could be less technical to be comprehensible for “regular” people. It was also noted that while the documents may be okay for the industry that uses them regularly and has expertise, other parties may need support such as lawyers or consultants to participate in CER processes which can make participation challenging.

It was also suggested that there would be benefit from combining all the material related to Indigenous interests into one section of the documents rather than having these matters spread throughout. The intent is to simplify navigation of the documents for Indigenous participants who are frequently asked for input and in some cases challenged by resourcing these requests.

That the CER ensures Canadians have access to information about CER-regulated energy infrastructure

Participants were not generally aware of the CER’s role or performance in providing Canadians with up-to-date information on energy markets. More however commented on its efforts to provide community-specific information about CER-regulated energy infrastructure.

Approximately half of participants were at least somewhat confident in this respect, whereas one in three were unable to answer. Generally, participants suggested that CER does well in communicating with stakeholders who know them and their business but could improve its outreach to the public or affected communities.

One participant was not very confident believing that in certain situations related to selecting locations for community meetings, that CER did what was easy rather than what would have been best for communicating to members of the affected communities. Another participant was not at all confident, primarily due to difficulties finding information on the CER website.

More involved participants, however, indicated that the CER website is easy to find and easy to navigate – citing that as reason for being very confident in CER information provision. Another participant indicated that CER is very good at sharing information with the industry.

Among the participants who are somewhat confident, there is a sense that CER has work to do in raising awareness among the public about its roles and responsibilities. It was suggested that CER work on relationship building with communities and the public, and on developing information that non-experts can understand.

C. Engagement and Responsiveness

Overall trust in the CER

Overall individual participant trust in the CER ranges from 5-10; the average is 7.8.

Two participants were unsure.

Among those with the most trust in the CER, this was most often based on the CER's people and the quality of interactions stakeholders had with CER. Also mentioned was the CER's focus on safety/protecting the public, inspections, its knowledge and information sharing, and its willingness to dialogue and problem solve.

Several noted that they didn't rate their trust higher only because they have only had limited interaction with the CER. Another noted that their rating isn't higher because of a perception that the CER is not living up to its mandate of competitiveness – noting that it is confusing effectiveness with being increasingly prescriptive.

A couple of participants who gave lower trust ratings indicated that they perceive CER or its leadership to be influenced either by the regulated industry or by political influences – and the latter is seen as a risk in that currently promising work may not come to fruition if a new government, for example, gives the CER a modified mandate or directions. Others noted their trust ratings reflect the historical context in terms of how Crown bodies have interacted with Indigenous Peoples and the volatility of directions based on the political influences. An industry participant also noted not seeing the CER as independent from political influence, sharing the perception that project approvals vary based on who is in power in Ottawa.

Challenges the CER faces in gaining public trust

Several themes emerged when participants were asked what challenges the CER faces in gaining public trust.

Raising awareness of the CER and its roles and responsibilities was most frequently mentioned, followed by more proactive outreach to communities, more interaction with the public and increased consultations on projects. These themes were mentioned by most categories of stakeholder.

“The public does not know and understand the actual roles, responsibilities and jurisdiction of what the CER is and does. And because of that there's always danger of mistrust.”

“In Quebec they need to be better known – they have much more of a profile out west.”

“It would be nice to see them be more interactive with the public – open houses or information sessions.”

“Make it easier for citizens to engage. Can be too intimidating.”

One participant indicated thinking that the name (CER) is a bit challenging, arguing that is “doesn't identify specifically what they do” and suggesting that could be intimidating for the uninformed.

Other mentions relate to:

The historical context of Indigenous-Crown relations and the tensions that creates.

Trust issues stemming from concerns about what could happen when there is a change of government.

All regulators having issues with public trust.

The energy infrastructure industry overall having a trust challenge (and the CER wearing that).

The CER being faced with strong proponents and strong opponents for projects.

Actions that could increase trust in the CER

When asked what specific actions or changes would increase stakeholder trust in the CER, several themes emerge.

Several stakeholders called for more collaboration or proactivity from CER – for it to reach out with offers to attend stakeholder organization meetings or conferences, as well as listening to stakeholder advice and being responsive. Further collaboration on public awareness communications and safety near infrastructure was also suggested.

It was also suggested that the CER could be doing more to educate stakeholders on how to get involved – perhaps providing training on how to apply to be an intervenor, how to get funding, and finding ways to increase public participation by enabling and facilitating. Also mentioned was increasing public awareness around safety or compliance reporting – what should a member of the public do if they observe something – who should they contact. An information guide for landowners was also suggested, along with a “CER for dummies” guide.

From an industry point of view, several suggestions were made related to reducing regulatory burden, such as increased collaboration across teams within CER so that the same information is not requested more than once. The idea of increased communication within CER was also raised by an Indigenous participant, noting that multiple requests are often made of their organization at the same time by different parts of the CER.

It was also suggested that if CER can obtain information from another regulator, they do that rather than requiring the companies to duplicate efforts. Another suggestion is for CER to be clear about how it can help improve Canadian/industry competitiveness – this in relation to concerns that the regulatory process is becoming more rather than less burdensome and worries about a switch from performance-based to prescriptive regulation.

Industry participants also called for more predictability from the CER and more consistent decision-making – arguing that even unfounded opposition to a project can cause extensive delays.

Examples of decisions or actions that impacted trust in the CER

Several examples were provided to illustrate CER actions or decisions that increased or decreased participant trust in the CER.

Participants with greater exposure to the CER provided examples of decisions or actions by the CER that changed their trust in the Regulator.

Examples where a CER action or decision increased trust include:

The CER providing funding for Indigenous participation in regulatory matters.

The CER revising rules after the stakeholder submitted information, resulting in funds being put in trust to pay for cleanup of obsolete pipelines.

A positive outcome following discussions between a contractor, the regulator and local groups related to land remediation following the completion of a project.

The CER issuing orders against companies – the respondent was pleased to see rules applied.

Examples of where CER decisions or actions decreased participant trust include:

A decision related to protecting a sacred site is reported to have been overturned due to cost, to the disappointment of Indigenous Peoples. This was argued to reflect a lack of understanding by the CER of the value of Indigenous sites.

A decision (reportedly) being overturned after the project had been approved due to a last-minute change by DFO, delaying the project by about a year.

CER representatives reportedly making a definitive statement about what the mechanism being developed for Indigenous involvement in the CER regulatory process will achieve – without acknowledging that a change in government could change things – this was seen as problematic. This participant felt it important that the CER personnel acknowledge limitations in terms of potential outcomes.

CER personnel reportedly not following advice from the stakeholder resulting in poor attendance at a community information session.

Concerns about the potential revisions to the OPR and the feeling that the current political and economic turmoil is not being factored in. The stakeholder is concerned that the potential for the regulations to help with nation building and economic adaptation may be overlooked/not realized.

One participant argued that the CER is not the decision-maker, contending that is the federal government's role, so despite disappointment with some of the decisions on pipeline projects, this individual does not attribute the decisions to the CER.

Participation in CER events

About seven in ten participants had participated in CER events. Most reported positive experiences.

Positive aspects noted by participants include the CER staff, good organization, accessible events – making it easy for the participants, agendas and documents having been well communicated, and that meetings were on time, and well moderated.

It was also noted that the work on the mechanism to involve Indigenous Peoples in the CER regulatory process created hope for a participant, that meeting in person is positive, and that formal hearings can be intimidating whereas community-based meetings might be less so.

From an Industry perspective, there is a sense that meeting pre-planning could be improved by allowing the companies more time for planning and resourcing.

How well CER listens

When participants were asked how well the CER listens to and addresses their concerns, most agree that it listens, but there is a mix of responses when it comes to addressing concerns.

A few participants were of the view that all is good, the CER is cordial respectful, helpful. Others feel the CER listens but doesn't address concerns the way it should.

"I think they are doing a good job re: onshore pipeline regulations (OPR). They are open to feedback."

"I don't think recent evidence suggests they are listening and responding. The most recent discussion papers on OPR did not reflect the wealth of inputs they had received prior to that."

"I think the CER listens; it really depends on the issue if there is a willingness to address concerns. On certain occasions, they are not – once conditions are applied, generally no room for discussion."

"I think they listen, but like any [regulatory] organization they are more interested in telling people what the rules are."

Improving CER engagement with Stakeholders

Q. *"What improvements would you suggest to enhance the CER's engagement with you/your organization/company/community?"*

Slightly fewer than half of participants had no suggestions for improvement with several indicating that the CER is engaging well with them or their organizations. Among those with suggestions, several related to enhancing CER engagement with stakeholders by being more proactive and present in communities.

Be more proactive, knowledge sharing, come meet our membership meetings

Increase capacity support to communities – funding and information.

More involvement of local communities in monitoring efforts – set up local monitoring programs

Suggest doing meetings with individual [Indigenous] nations in addition to group engagements.

"Having spaces to speak directly to CER would be nice – and CER should initiate these conversations."

"I think it would be great if they spent more time in our area."

Local knowledge is required. If they had true appropriate representation with local knowledge of the impact of their decisions. Would make people feel heard.

There probably needs to be a general meeting with specific municipalities that have pipelines running through. CER specifically speaking to its responsibilities and asking what we think.

I think an annual or semi-annual touchpoint would be helpful.

They could improve their profile certainly during project consideration by getting out to the communities and telling people what their role is, how they operate and what they can and can't do. At the same time the proponent goes out to start consultations, CER should also be there raising public awareness. Coordinate with the proponent consultations because that is where the most people will attend.

A few suggestions related to timelines and other considerations for industry when interacting with the CER.

More lead time for events/planning.

CER needs a more coordinated approach between different teams that are seeking information from regulated companies. Smaller companies find the process challenging.

"Sensitivity to timeliness of requests, particularly when they are being asked. (does it need to be Friday afternoon?).

Another suggestion touched on the role of the CER in competitiveness and concerns that changes to the regulatory process may not promote that objective.

The regulatory system we have is pretty good, wholesale change is expensive and complicated. What would be a measured approach to fulfilling the CER role and supporting Canadian competitiveness.

A suggestion was also made related to the separation at CER between outreach and enforcement. While both are recognized as important, overlap between the two may be eroding trust and reducing what is shared in consultations. This change is expected to increase transparency and the overall success of CER engagement and outreach efforts.

One participant described relations with the CER as follows: "I have never had the sense that CER is in sync with regulated companies in terms of pain points ... and now it's worse than ever." A distinction was also referenced between the resourcing and management of the Regulated Industry Engagement Group and the Land Matters committee – with the latter seen as much better resourced and the former lacking leadership.

D. Communication

Effectiveness of CER communication

Q. *"How effective do you find the communication from the CER?"*

When asked about the effectiveness of CER communications, participants provided a mix of responses, including many who feel communications are generally effective, but also suggesting some improvement.

The following are examples of positive feedback.

Excellent for the working group.

Very good – clarity and frequency. Well organized, sends out information regularly, responds well to issues and concerns.

Good, always share their information with our members.

And the following are comments that also include areas for improvement.

Generally effective – but often they don't meet their own timelines.

With the workshops they are effective. What I would like them to have is a helpline for enquires, phone or email – that would be very helpful.

Could be increased – share more information in a way that more people can understand. Information at a level that more people can understand.

Very bureaucratic, hard to find someone when you need to speak, hard to have frank conversations.

Sources of information for CER activities

Q. *“What sources of information do you rely on to learn about the CER’s activities?”*

The most frequently mentioned information source was the CER website followed by emails. Few participants mentioned other sources.

Reviews of the CER website are mixed.

The CER website is easy to find and easy to navigate. Use interactive mapping tools. The GIS system is very useful.

Good, I love the map but would like to see a better map component – allow me to search by road to see what applications are open on that road. Also provide better geo-locating.

Website: some things easy to find, some very difficult to find. Broken links and stuff on CER web page.

"Web. There is a lot, but it's not always easy to find what you need."

Standard government website. Fairly accessible but depends on what you are looking for.

Have looked at website – its better, they have made some changes recently making it easier to follow

Most comments about email from the CER were positive or neutral. One suggestion related to providing contact updates to the CER. The participant noted that to update contacts with the CER it is necessary to go department by department rather than to a central point. It was also noted that correspondence is sometimes sent to email addresses of people who have changed jobs.

CER Dialogue was mentioned by a few participants from industry or landowner organizations.

REGDOCS was mentioned by a few industry participants, as well as legislation and guidance documents.

One participant had heard of BERDI, and one noted seeing the CER post occasionally on LinkedIn.

Two participants mentioned seeing CER occasionally in the news media.

E. Other Comments

Q. *“Is there anything else you would like to share about the CER?”*

At the end of the interviews, participants were asked if they had any anything else to share about the CER. About one in three had no additional comments. The other participants noted a wide range of topics.

The knowledge that Indigenous Peoples hold for the land has to be built into CER processes.

Would like to see tightening of the relationship with CER, like the close relationship we have with AER.

CER is not so good at navigating situations when other people question the place of a speaker/participant. When we send a representative it is our choice who to send, so it's not for others to question that – CER should step in to say they do belong.

CER is not always sensitive to ag industry needs – help pipeline industry and ag industry work together.

There still seems to be a lot of confusion with landowners about when different regulators have jurisdiction – AER, CER, AUC – it is difficult for landowners to know who the regulator is for infrastructure on their property.

Important that the regular communication continues.

Demonstrate how decisions are made and the process – so those who feel the decision went against them can try to understand. Otherwise, they may feel that participating was a useless activity.

I think we need to have a better understanding of their influence in [jurisdiction] and what they mean here – what is their role, what do they do. Not sure any of the senior management here knows what they do.

We have a lot of frustrations on a daily basis with their processes and the lack of transparency around their compliance programs and how they execute on a daily basis. Lack of accountability around the why for some of the information CER is asking for.

Goal oriented regulation – CER sets broad expectations for industry to meet, and I would say our company and others are meeting those goals, but CER finds itself struggling with thinking it needs to demonstrate itself as an effective regulator by getting into details that would come with a prescriptive regulation system. CER is spending massive amounts of time getting into the how of us meeting CER expectations. We scratch our heads and wonder if no one is reviewing these requests to establish why the asks are being made... and how/if they tie to decisions.

Demonstrate a recognition of the moment right now. Regulators should be at the forefront of asking themselves questions in this time of national crisis. Are we approaching this the right way, what will help the country maintain regulatory maturity and competitiveness.

CER asks for a lot of information that they could get from other regulators suggesting it is out of their jurisdiction. They overstep where they think they need to exert themselves, but other agencies already handle it.

Predictable and balanced risk-based regulatory management is necessary for both the government and regulated companies to more efficiently manage the regulatory burden. Look at the provinces – it would be nice for them to collaborate more. CER on one hand speaking of red tape reduction but has also increased the number of baseline requirements.

Appendix A: Methodology

Target audiences/sampling: *Environics conducted a set of 28 interviews with 29 key stakeholders identified by the CER who had recent experience interacting with the CER and including representatives from the following categories of stakeholder: Indigenous Peoples; Landowner or landowner organizations; Municipal organizations; Regulated Industry; and others who interacted with the CER in approximately the last calendar year.*

The CER provided 62 contact records for the interviews to be completed.

Market research industry and Government of Canada standards for qualitative research were followed.

Recruiting:

The CER sent out an introduction email to introduce the project and Environics, inform prospective participants they may be contacted for the study, and encouraged response as a way to “have their say.” Prospective participants were given the opportunity to opt out of the study and no further contact was made to any who did.

Participants were recruited by Environics by email, based on the contact information provided by CER. During these outreach attempts, Environics reiterated the project objectives and worked to secure participation in the IDIs. Interview scheduling incorporated flexibility in timing and mode of interview (i.e. their choice of telephone or Zoom/Teams). Detailed notes were taken during the interviews for reporting purposes.

Rationale for recruiting approach: Environics recommended this recruitment and interview approach, based on extensive experience conducting interview with senior stakeholders across a range of business sectors. It followed best practices in terms of informing the prospective participants about the purpose and objectives of the research, respecting their time, and being flexible to adapt to their schedules.

Interviews: Environics drafted a discussion guide for review and approval by CER. The guide was based on the objectives, and on discussions with the clients.

Participants could choose to be interviewed by telephone or through an online platform (Teams). Offering this choice allowed researchers to accommodate a range of considerations, including each participant’s personal comfort level and Internet access. Interviews were conducted in the respondent’s preferred official language. Participants were offered options for daytime or evening interview times.

IDIs were approximately 30 minutes in length.

Completed interviews:

The following provides a breakdown of the completed interviews by respondent type:

Stakeholder category	Number of interviews
Indigenous peoples	6
Landowner organization	7
Municipal organization	7
Regulated Industry	7
Other	1

Appendix B: Discussion Guide

CER Public Opinion Research Environics interview guide for in-depth interviews with CER contacts

February 2025

Name:

Organization:

Date:

Interviewer:

Interview number:

Introduction

Hello, my name is _____ from Environics Research, and I am calling to conduct our scheduled interview.

As you know, we are conducting interviews about the Canada Energy Regulator (CER) with people who have interacted with the CER in the last year.

The main objective of this research is to gauge stakeholders' trust and confidence in the CER. The information will be used to inform the organization's work and identify opportunities for improvement. Your responses will not be linked to your name or organization (your identity will remain confidential).

The results of the survey will be publicly available via the Government of Canada's public opinion research website. Once available, the link to the report will be shared with participants by CER staff.

The interview will take approximately 30 minutes to complete depending on your responses.

Do you have any questions before we begin?

Interview Group

- Regulated Industry
- Landowner or landowner organization
- Government
- Municipal organization
- Indigenous Peoples
- Other

A. Perceptions (9 minutes)

1. If you were stopped on the street today and asked to describe the Canada Energy Regulator or CER, what would you say?

2. Please tell me a little bit about your recent interactions with the CER.

3. In general terms, do you have a positive or negative impression of the CER?

Very Negative Negative Neutral Positive Very Positive

Probe if necessary - why do you say that?

4. To what extent does each of the following describe the CER?

Probe if necessary - why do you say that?

a. Timely

Not at all Not really Somewhat Fully describes CER

b. Expert

Not at all Not really Somewhat Fully describes CER

c. Fair

Not at all Not really Somewhat Fully describes CER

d. Transparent

Not at all Not really Somewhat Fully describes CER

B. Accountability and Performance (9 minutes)

5. How confident are you in each of the following: (RANDOMIZE)

Probe if necessary – why do you say that?

a. That the CER acts in the best interest of the public

Not at all confident Not very confident Somewhat Confident Very confident DK NA

b. That the CER works to protect Canadians

Not at all confident Not very confident Somewhat Confident Very confident DK NA

c. That the CER works to protect the environment.

Not at all confident Not very confident Somewhat Confident Very confident DK NA

d. That the CER works to advance reconciliation with Indigenous Peoples.

Not at all confident Not very confident Somewhat Confident Very confident DK NA

e. That the CER ensures that Canadians have access to up-to-date information on energy markets and supply or community-specific information about CER-regulated energy infrastructure in Canada.

Not at all confident Not very confident Somewhat Confident Very confident DK NA

f. That the CER's suite of regulatory tools such as its regulations, guidance and permitting documents are clear.

Not at all confident Not very confident Somewhat Confident Very confident DK NA

g. In the CER's ability to enforce regulations and ensure compliance?

Not at all confident Not very confident Somewhat Confident Very confident DK NA

C. Engagement and Responsiveness (5 minutes)

6. How would you rate your overall trust in the CER on a scale of 1 to 10?

Probe if necessary: why do you say that?

7. What challenges does the CER face in gaining public trust?

8. What specific actions or changes would increase your trust in the CER?

9. Can you provide an example of a decision or action by the CER that increased or decreased your trust in them?

10. Have you ever participated in an event held by the CER?

Probe if necessary: how was your experience?

11. How well do you think the CER listens to and addresses your concerns?

12. What improvements would you suggest to enhance the CER's engagement with you/your organization/company/community?

D. Communication (5 minutes)

13. How effective do you find the communication from the CER?

Probe if necessary: why do you say that?

14. What sources of information do you rely on to learn about the CER's activities?

Listen for: CER website, REGDOCs, BERDI, CER Dialogue, social media, traditional news (i.e. TV, radio, news websites)

E. Closing Thoughts (2 minutes)

15. Is there anything else you would like to share about the CER?

END OF INTERVIEW

On behalf of the Canada Energy Regulator, thank you very much for taking the time to speak with me.