



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR

Report A-2026-001

January 23, 2026

Newfoundland and Labrador Hydro

Summary:

The Complainant made an access request for a list of lawyers, by name, with billing information. NL Hydro responded that it had no such record. The Commissioner found that invoices are received from and paid to law firms, not individual lawyers, and that NL Hydro's response was reasonable.

Statutes Cited:

[Access to Information and Protection of Privacy Act, 2015](#), SNL 2015, c A-1.2, section 13.

BACKGROUND

- [1] The Complainant made a two-part access to information request to NL Hydro under the **Access to Information and Protection of Privacy Act, 2015** (the “Act”). One part, requesting information about billings from law firms, was disregarded as repetitive, with the approval of our Office. The other part of the request was for:

The names of the lawyers that received payment from the Public Body (the 'PB') during the period specified below, listing the aggregate amount each lawyer received from the PB during each month of that period. If the period exceeds one year, the aggregate amount can be provided on a quarterly basis.

- [2] NL Hydro responded that it had no responsive records. The Complainant filed a complaint with our Office, stating that NL Hydro had failed to meet its statutory duty to assist. As informal resolution was unsuccessful, the complaint proceeded to formal investigation in accordance with section 44(4) of the Act.

DECISION

The access request was clear and unambiguous. A responsive record would be a list of lawyers, by name, listing the amounts paid during a specified period. NL Hydro's search for records included consultation with subject matter experts and asking them for records. NL Hydro explained that individual lawyers do not invoice NL Hydro. Rather, invoices for legal services are submitted by law firms, and payments are made to those firms. This is common practice, and explains why NL Hydro would not have records relating to billings of individual lawyers.

- [3] NL Hydro has met the test under section 13 for conducting a reasonable search, and its determination that no responsive records exist is reasonable.
- [4] After NL Hydro provided its Final Response to the access request, the Complainant asked additional questions. NL Hydro continued to engage with them but did not respond to a

question requesting confirmation whether any payment was made to a named lawyer during the specified period.

[5] A final response to an access request usually completes a public body's responsibilities under the Act. While the access request may be complete, it is not unreasonable for applicants to ask follow-up questions or seek clarification about the public body's response, and it is reasonable to expect public bodies will make an effort to answer such questions. However, an applicant does not have the right to expect responses to questions or arguments indefinitely. Rather, their recourse is to file a complaint with this Office.

[6] The Complainant's follow-up question had already been dealt with in NL Hydro's response. In the present case, there were no responsive records for lawyers by name. The follow-up question may reasonably be viewed as trying to obtain, by different means, information that had already been refused in response to other access requests. It was not a question that NL Hydro was obliged to answer, and it was therefore not a failure of the duty to assist to not answer it.

RECOMMENDATIONS

[7] Under the authority of section 47 of the **Access to Information and Protection of Privacy Act, 2015**, I recommend that NL Hydro maintain its position.

[8] As set out in section 49(1)(b) of the **Access to Information and Protection of Privacy Act, 2015**, the head of NL Hydro must give written notice of his or her decision with respect to these recommendations to the Commissioner and any person who was sent a copy of this Report within 10 business days of receiving this Report.

[9] Dated at St. John's, in the Province of Newfoundland and Labrador, this 23rd day of January 2026.



Kerry Hatfield
Information and Privacy Commissioner
Newfoundland and Labrador