



NEW BRUNSWICK  
ENERGY & UTILITIES BOARD

COMMISSION DE L'ÉNERGIE ET DES SERVICES PUBLICS  
NOUVEAU-BRUNSWICK

# VIDEO CONFERENCES GUIDELINE

Effective November 16, 2020

**Background:**

The New Brunswick Energy and Utilities Board (Board) is committed to remaining accessible to New Brunswickers, including during the current period of restrictions as a result of the COVID-19 pandemic. To ensure the safety and health of all those who participate in the Board's processes, some hearings will be held virtually as video conferences.

This Guideline outlines the Board's approach to video conferences. The presiding Chair of a hearing may, in any event, choose to depart from this Guideline in any Board proceeding, based on applicable law and circumstances. It will remain in effect until further notice by the Board.

For information on the technical aspects of participating in a video conference at the Board, see the Practice Directive posted on the Board's website under the Board's [Rules of Procedure](#).

- [NBEUB Practice Directive #2](#)

**Video Conferences:**

Subject to any Board notice or order departing from this Guideline, the Board will conduct video conferences over the Zoom video conferencing platform (Zoom). Video conferences may be used for procedural conferences, stakeholder sessions, hearings and other similar processes. This platform has been successfully used by the Board to connect participants and witnesses in remote locations.

By participating in a video conference, participants are deemed to consent to the use of Zoom for the conference and acknowledge [Zoom's Terms of Service](#).

Once a video conference has been scheduled, information on how to connect to the proceeding will be provided by the Chief Clerk. Participants will receive a URL link, a hearing ID number, and a password, which they can use to connect to the hearing. Participants are required to connect at least 15 minutes before the scheduled start time.

**Key Considerations:**

The following are key items to consider for participating in all video conferences:

- A. Participating in a Video Conference: The most up-to-date information on which matters are eligible for continuing by video conference is available on the Board's website.
- B. Cyber-Security: While the Board cannot guarantee the total security and privacy of video conferences, the version of Zoom used by the Board utilizes stronger privacy and security controls than versions generally available to the public. The Board's Zoom security protocol also includes several safeguards such as password protection.
- C. Confidentiality: The Board will work with participants to ensure that any confidential information that may need to be addressed during a video conference is protected.

- D. Privacy: Access to a Zoom video conference will be rigorously controlled by the Board, acting as meeting host. Upon receipt of a valid registration, participants will be sent a URL link, a hearing ID number, and a password to access the proceeding. Registration will only require an email address. The link is only valid for one person. As such, each participant will require their own separate link.
  
- E. Access by the Media and the General Public: Except for *in camera* portions of a hearing, all Board hearings are open to the public. Observers, including members of the public and the media (non-participants), will be permitted to view and hear the proceedings. Non-participants will, however, be unable to be seen or heard by the participants to the proceeding or any other non-participants. This is to respect the privacy of non-participants and to protect the integrity of the proceeding. In some exceptional cases, only an audio feed will be made available.

Non-participant observers must use a screen name that accurately identifies them.

The recording of proceedings will continue to be governed by Rule 5.3 of the [Rules of Procedure](#).

- F. Decorum and Procedure: The *Rules of Procedure* and normal hearing decorum and procedure, to the extent possible, continue to apply to video conferences. Professional, respectful attire and behaviour is expected from all participants. During the COVID-19 pandemic, virtual processes will be recorded and form part of the Board's official record.
  
- G. Simultaneous Interpretation: Interpretation services for virtual conferences will be available in both official languages.

#### **Filing and Display of Evidentiary and Other Documents:**

The filing of documents and evidence by participants will continue to be governed by the *Rules of Procedure*. Subject to restrictions governing confidential documents, all pre-filed written evidence is available to participants and non-participants on the Board's website.

During Board hearings, whether in-person or virtually via Zoom, the Chief Clerk is able to display documents, at the request of a party or a witness, to all participants and non-participants.