

Legislative Assembly of New Brunswick

Oral Questions



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[Translation]

GASOLINE PRICES

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Thank you very much, Madam Speaker. Good morning, as always.

[Original]

Madam Speaker, 14 months have passed, and New Brunswickers still do not have the promised immediate relief at the pump. The Holt government has failed New Brunswickers on so many different levels. It failed to implement the changes with the stroke of a pen. It failed to draft legislation that was written clearly enough to protect consumers. It failed to listen to the advice of experts who told it multiple times that simply removing the formula would be disastrous for the continuity of fuel supply. It failed to give the EUB adequate time to respond to its demands, and, as a result, it failed to deliver the promised 8.24¢ reduction on December 1. The Holt government is solely responsible for the failure to deliver on its own promise. It has even managed to fail to apologize for its failures. What guarantee are you now going to give New Brunswickers for the February deadline that you will also fail to deliver on? Thank you, Madam Speaker.

Hon. Mr. Herron (Hampton-Fundy-St. Martins, Minister of Natural Resources, L): Thank you very much, Madam Speaker. My response to my friend, the member opposite, is that I think we on this side of the House are frustrated, and I think the members on the other side should be frustrated as well. Why is the opposition continuing to defend a formula to represent the cost of compliance to the Clean Fuel Regulations? All indications are that New Brunswickers have been overcharged, and not only for one year. It went to two years, and now we're in year three.

Does the honourable member agree with me that New Brunswickers should not pay a penny more than the true cost of compliance? To determine that, there should be a process in which the sector comes forward and presents its evidence and the EUB forms that decision.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Thank you, Madam Speaker. It is their promise, their failure, but New Brunswickers pay the price. The EUB is an independent, quasi-judicial tribunal that regulates petroleum prices in New Brunswick. It is governed by Acts of the Legislature. Should the EUB be unable to provide a formula that meets the government's objectives, there are two possible options that the government could choose. One is to take the price regulation authority away from the EUB, deregulate fuel prices, and expose New Brunswickers to potentially wildly fluctuating prices. The other is to amend the governing legislation to achieve its objectives. Be radically transparent with New Brunswickers. If the EUB, in February, does not come up with a solution that is acceptable to government, which option will the government choose? New Brunswickers deserve to know.

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Hon. Mr. Herron (Hampton-Fundy-St. Martins, Minister of Natural Resources, L): Thank you very much, Madam Speaker. The honourable member is correct that there is an immense amount of expertise at the EUB. The original carbon adjustor, when it was put into legislation, circumvented the standard regulatory processes in which members of the sector would come before the regulator and present their costs of compliance—in this case, with respect to the Clean Fuel Regulations (CFR)—and then the regulator would determine what those costs are.

I have a question for the honourable member. Does the honourable member agree that the costs of compliance to the CFR should be based on actual costs to ensure that New Brunswickers do not overpay by even a penny, or is he still advocating for the same formula when all indications suggest that the sector over-recovered for not just one year or two years but three years?

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Well, thank you, Madam Speaker. It certainly is question period and not answer period for this government. The Premier has been in the media saying that New Brunswickers are being overcharged at the pumps, something the Minister of Natural Resources just alleged. That sounds to me as though they are accusing someone in the supply chain of gouging New Brunswickers. Who exactly is he referring to?

Hon. Mr. Herron (Hampton-Fundy-St. Martins, Minister of Natural Resources, L): Thank you very much, Madam Speaker. What we're saying is that the initial formula established by the EUB—and I was on that exact panel—was to be a temporary solution, not a permanent solution. We are now into year three. Given that the EUB is suggesting that it wants to take 90 days to get to that hearing, I would hope it will not only quantify what the current cost of compliance is but also identify how much New Brunswickers overpaid in year one and year two—the actual dollar value. What I am suggesting is that New Brunswickers likely still continue to overpay in year three. Put those together, and it could be to the tune of hundreds of millions of dollars. I would suggest that the honourable member might want to apologize—

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Well, thank you, Madam Speaker. The Irving Oil refinery is in my riding. It's owned by a New Brunswick family that gives millions of dollars to projects such as the Saint John YM-YWCA and the Irving Oil Field House, just to name a few. It employs thousands of New Brunswickers directly and indirectly, and it is responsible for approximately 50% of this province's GDP year after year. Just for clarity, is this whom the Premier and the Minister of Natural Resources are accusing of gouging New Brunswickers on fuel prices?

Hon. Mr. Herron (Hampton-Fundy-St. Martins, Minister of Natural Resources, L): Madam Speaker, no one is making an assertion about that particular refinery or the management of that operation. What I am saying is that it was people on the other side of the House who passed a piece of legislation that forced the EUB to identify what the costs of compliance are as opposed to having a framework in which we actually follow good regulatory practice so that all costs are proven and we know what the true costs actually

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are. What the previous government did circumvented the process. There is a cost of compliance to the CFR.

In provinces that don't have regulated markets, the cost of compliance is competed down by the most cost-effective refinery. In this market, we have a proxy that has been established by the EUB. It was only supposed to be there temporarily and has left New Brunswickers overpaying for the cost of compliance to the CFR.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Thank you, Madam Speaker. All provinces in Atlantic Canada have regulated markets, so I'd like to know exactly whom the minister is talking about. It's the federal Clean Fuel Regulations that are responsible for the added costs at the pumps for New Brunswickers. Alberta recently announced a deal where federal regulations will be suspended, and investments will be made in carbon capture, utilization, and storage.

This government has failed to do anything significant with the federal government. Has the Premier, between kitchen parties and any of her other numerous failed trips to Ottawa, ever spoken to the Prime Minister about dropping the Clean Fuel Regulations for New Brunswick and getting federal investment for carbon capture here? Is she willing to fight to help keep the single largest contributor to our GDP and to protect those well-paying jobs, or is she going to continue to accuse the refinery of gouging New Brunswickers on fuel prices?

Hon. Mr. Herron (Hampton-Fundy-St. Martins, Minister of Natural Resources, L): Madam Speaker, I think the honourable member is being immensely alarmist by saying that the refinery and jobs are at risk with respect to this debate we're having on the cost of carbon adjustor. Let's just set that aside.

I want to be clear that I understand this. When the honourable member goes out to the scrum, will he support having the cost of compliance based on actual costs, or does he want to use a proxy when all indications are that New Brunswickers have been overcharged for the past three years? That's the question.

The second perspective is this. Will the member support me in stating that the EUB should do a thorough analysis of what any overcharge might have been in year one, year two, and year three? Then the honourable member can apologize to New Brunswickers for overcharging them by hundreds of millions of dollars.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Thank you, Madam Speaker. The minister likes to talk about the adjustor being a temporary measure. However, he's not putting any context around that statement. The members opposite like to make people believe that this has been going on and dragging on. The minister was at the EUB hearing, where Ms. Brown testified that it would take 18 months to two years—so, by July 2025—for the carbon credit system to be implemented. Where was the refinery or any other polluter supposed to put their carbon credits when there was nothing developed?

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Maybe the minister can explain whether any work has been done at the EUB—because he was there—or whether any work has been done by the government—we know it hasn’t—to see whether anything can be done to try to give these refiners, these people who pay for jobs in this province and who work hard... What have they done to try to make things better for people in this province?

Hon. Mr. Herron (Hampton-Fundy-St. Martins, Minister of Natural Resources, L): Madam Speaker, to be clear, there would be three options in terms of how the board could have come up with the cost of compliance. The temporary solution was to use a formula that was produced by Grant Thornton. Given that the tradable permit regime that the honourable member mentioned has not developed, and it’s taking... We’re now into the third year of waiting for that to develop, so we should go back to the standard regulatory practice and ensure that New Brunswickers only pay what the cost of compliance is. That cost of compliance needs to be proven by the sector. Does the honourable member agree with this side of the House that the cost of compliance to the CFR should be based on actual costs instead of a proxy? Or does he want to continue to defend a formula when all indications are that New Brunswickers were overcharged?

GOVERNMENT SPENDING

Mr. Monahan (Arcadia-Butternut Valley-Maple Hills, PC): The Holt government’s fiscal update has delivered a sobering message to New Brunswickers. Our province is now facing a projected deficit of \$834 million. That is not a minor course correction. It’s a dramatic and alarming reversal from the stable, responsible financial footing that New Brunswick had worked hard to achieve in recent years.

Instead of building on that momentum, this government has opened the floodgates to unchecked spending, offering no clear strategy to protect taxpayers, rebuild confidence, or steer the province back toward balance. At a time when families and businesses are tightening their belts, the Holt government appears unwilling or unable to do the same.

New Brunswickers deserve honest answers about how we got here and what this means for long-term health care and our province’s finances. A deficit of this size isn’t simply a one-year problem. It risks becoming a structural burden that future generations will be forced to carry. Of the staggering deficit, how much will become recurring debt year over year?

Hon. Mr. Legacy (Bathurst, Deputy Premier; Minister of Finance and Treasury Board; Minister of Energy; Minister responsible for the *Right to Information and Protection of Privacy Act*, L): Thank you, Madam Speaker. Once again, I find it interesting that the member—and all of the members opposite in their statements—brings up waste and overspending. However, the members opposite never specify where they want us to change that waste and spending that they say we have. There are never specifics. If you’re going to put out that statement, then you should probably give us specifics.

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We're bringing up CBC. I found it interesting that, when asked what he would do, the member opposite's one suggestion—and it probably went back to what the members opposite know best—was that maybe we should look at the public service. Maybe we have too much public service. This is probably because, during their mandate, the members opposite added well over 5 000 new positions in government. So, that's a mess that we have to look at to see whether we can do something about it. I wonder whether there's something else that the member knows about that we're going to have to clean up.

[Translation]

Mr. Monahan (Arcadia-Butternut Valley-Maple Hills, PC): The second-quarter fiscal update has made one thing clear: The Holt government has lost control of New Brunswick's finances. Each update from the government contains worse news than the ones before. Yet there is still no credible plan, no discipline, nor any sign that the Minister of Finance understands how serious the situation is.

New Brunswickers expect the government to be able to anticipate challenges and manage risks. However, we see a government that is stumbling from one budgetary surprise to another, hoping the numbers will improve on their own. Deficits of this magnitude are not fixed by wishful thinking, and, without action, they increase. Everything seems to indicate that the government is digging our province further than ever into debt. Since the deficit is already close to a historic level, is the Minister of Finance still sure that his deficit will exceed a billion dollars?

Hon. Mr. Legacy (Bathurst, Deputy Premier; Minister of Finance and Treasury Board; Minister of Energy; Minister responsible for the *Right to Information and Protection of Privacy Act*, L): Thank you, Madam Speaker. I find it interesting that the opposition member says we don't understand the urgency of the situation. I think we're experiencing it every day. Each time we do something to resolve a situation that wasn't resolved... For example, we gave a \$10 000 bonus to at least 10 000 nurses; the opposition members didn't do anything. According to the opposition, that wasn't enough. Something else should have been done; more should have been done.

We provided residential customers with a rebate equivalent to the provincial portion of the HST on power bills. For two years, we asked the former government to do that, but it refused. Now, the opposition is saying that we are still not doing enough regarding energy.

We received funds to cover the expenditures incurred over many years because of the effects of tobacco on health. What does the opposition tell us? Spend the money; don't allocate it to the budget or the deficit; absolutely do not pay back the expenditures that were made; spend. The opposition members rise and accuse the government of being irresponsible. Now, that is something.

[Original]

Mr. Monahan (Arcadia-Butternut Valley-Maple Hills, PC): Madam Speaker, we see today that it's not question period. It's more like story period. Anyway, we'll move on.

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The financial credibility rests not on the numbers in the quarterly report but rather on the confidence of those who evaluate our ability to manage risk: the credit rating agencies. These independent assessments shape investor confidence, borrowing costs, and the overall reputation of our province's financial stewardship. Yet, as the Holt government deficit projection spirals upward, we are left to wonder whether this government has taken the necessary steps to reassure those who most closely monitor our fiscal health.

Reports from these agencies indicate that New Brunswick's stable outlook reflects expectations that the province will take steps to manage its fiscal position. With a new deficit amount, the public has heard little from the Finance Minister about what actions, if any, his government has taken to maintain stability. So, I ask: What specific steps are being taken as evidence of responsible fiscal management? Highlight them.

Hon. Mr. Legacy (Bathurst, Deputy Premier; Minister of Finance and Treasury Board; Minister of Energy; Minister responsible for the *Right to Information and Protection of Privacy Act*, L): Thank you, Madam Speaker. This is the opposition's favourite subject: rating agencies. By the way, in their rankings this year, these agencies were clear that they felt that, as a government, we had a clear plan about where we were headed, so there are no issues there.

I keep hearing about what we will leave to future generations. That's always what the opposition brings up. Are we going to leave them with deficits? What are we going to leave to future generations? Is it crumbling infrastructure and programs that aren't funded? What about those things? Those will cost money. They will be required. What are you going to tell your grandkids? Look at the great balance sheet we had when we were in government, but schools are falling apart and roads can't be driven on. That's what you'll leave behind. That's what we're doing. We're fixing New Brunswick and the things the opposition members left behind. We will make things better, and we will go forward, just as New Brunswickers want us to.

ENERGY

Mr. Austin (Fredericton-Grand Lake, PC): Thank you, Madam Speaker. I'd like to switch focus a little bit today and talk about electricity and the future of demand in New Brunswick. In a public accounts committee meeting held not too long ago, a representative from NB Power basically said this keeps him up at night, worrying about electricity supply and the demand that's going to come. We know our grid is becoming much bigger. We will need more electricity for vehicles and so on. We also have an AI data centre that's projected to be built in Lorneville. The average AI data centre uses between 100 MW and 500 MW of power. I believe this one will use around 400 MW. We know some of that power will be generated onsite. With the AI data centre, especially with the hyperscale centres we see in some of these AI data centres and the insatiable desire for electricity that comes with them, can the Minister of Energy give us some assurance that NB Power can meet that demand?

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Hon. Mr. Legacy (Bathurst, Deputy Premier; Minister of Finance and Treasury Board; Minister of Energy; Minister responsible for the *Right to Information and Protection of Privacy Act*, L): Thank you, Madam Speaker. Thank you to the member opposite for asking a question on this subject. The reality is that, even if the data centre has been presented, it still has to make a request to NB Power, and it will be based on what NB Power can supply.

What's interesting about data centres is that a lot of them can operate during off-peak periods. That's good because New Brunswick is a winter-peaking province. We have a lot of capacity to generate during the off-peak periods of summer and spring. However, we have a certain period of a few weeks in the wintertime where we have to have everything ready and available. I know the representative from NB Power brought up, as he does in the integrated resource plan every three years, that the growth that is happening right now is concerning. That's why NB Power is looking at different projects. That's why we're looking at certain projects down south right now. We want to ensure that, in future years, when New Brunswickers flick their light switch on, the lights come on.

Mr. Austin (Fredericton-Grand Lake, PC): Thank you, Madam Speaker. We also know there is an AI data centre in northern Maine that is looking for electricity to run its centre as well. Again, with the challenges we have here in New Brunswick to even meet the current demand and with what will be put on us in the future, it certainly leaves some questions for us about ensuring we, as New Brunswickers, are protected. I mean, we've already been paying some higher rates over the past several years due to demand. We have to make sure that demand is met here for New Brunswickers. Can the Minister of Energy assure New Brunswickers that the electricity we produce here will not be used or sacrificed to this AI data centre in northern Maine?

Hon. Mr. Legacy (Bathurst, Deputy Premier; Minister of Finance and Treasury Board; Minister of Energy; Minister responsible for the *Right to Information and Protection of Privacy Act*, L): Thank you, Madam Speaker. Again, grid management and load management are things that NB Power handles. It has always handled it. It's all about supply and demand and about when the energy is available and can be sold. That is part of the market. When it is peak... It already exists. It's not just data centres. For years, we've known that, on the coldest days, mills, like Irving mills or those up in Edmundston, will often shut down their operations and use less electricity. They can ramp up and ramp down according to the weather conditions. It's always been about that load management, and NB Power has been doing that forever. Any project that is brought forward will be done with energy security in mind.

Mr. Austin (Fredericton-Grand Lake, PC): Thank you, Madam Speaker. To compound the issue, we also have the Mactaquac refurbishment, which is just on the horizon. In committee, we spoke about a piece of legislation the government brought forward not too long ago and we discussed what that means for New Brunswickers. My question is for the Minister of Energy again. When we talk about demand and production, if one of those two things... If demand peaks and production doesn't do what it's supposed to do to meet that

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demand, then we will have serious problems in this province. My question is for the Minister of Energy.

When Mactaquac is being refurbished, will its production be reduced or drop off altogether, and if so, how is that demand going to be met by other sources to ensure we have stable electricity for all New Brunswickers right here at home?

Hon. Mr. Legacy (Bathurst, Deputy Premier; Minister of Finance and Treasury Board; Minister of Energy; Minister responsible for the *Right to Information and Protection of Privacy Act*, L): Thank you, Madam Speaker. Again, demand management involves a whole fleet of different producers or generating stations. Mactaquac is an interesting project. We will see as the project unfolds. They're proposing to shut down one turbine at a time, so we won't have the whole project offline. There are all kinds of ways to look at it. The Renewables Integration and Grid Security (RIGS) project is one we're looking at. We will add wind probably by the end of the year or hopefully within the next few months with the Request for Expressions of Interest (REOI) announcements. We're looking at close to 1 000 MW of wind. Some new solar projects are being looked at. The full fleet is happening. We're also looking at converting Belledune to biomass. There are a lot of projects going on to make sure that the supply is available when the demand comes on.

ROADS

Ms. Mitton (Tantramar, G): Madam Speaker, in my community and around the province, I often hear rumours from New Brunswickers that decisions on which roads get paved are made in political back rooms. The Road Ahead plan was supposed to remove this archaic practice of political favouritism. Despite that, DTI still has one fund, the district projects fund, which is divided by electoral district. A recent right to information request I filed showed that each riding's allocation tends to increase or decrease depending on whether it is represented by a government MLA or an opposition MLA. For example, following the 2018 election won by Blaine Higgs' Conservatives, ridings represented by Liberal MLAs experienced a drop in funding while ridings represented by PC MLAs had an increase. Does the Premier agree with me that it shouldn't matter who your MLA is? People deserve safe roads everywhere.

Hon. C. Chiasson (Grand Falls—Vallée-des-Rivières—Saint-Quentin, Minister of Transportation and Infrastructure, L): Thank you very much, Madam Speaker, and thank you, member opposite, for the question. It gives me an opportunity to explain. The member opposite is correct. There were lots of fluctuations in the past. However, coming in this year and reviewing what happened in the past, I instituted a formula with a base amount of \$50 000. Those who actually have provincial roads in their riding would get a certain percentage of the overall pot of county project money based on the percentage of provincial roads in their riding. What I did was institute something that's very fair, very traceable, and very responsible. I mean, what was done in the past was done in the past, and there were some wild fluctuations. You can shoot out all those numbers you want,

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because they were in the past. I've fixed that. I've made it very transparent and fair for everybody.

Ms. Mitton (Tantramar, G): Thank you to the Minister of DTI for that information. It is absolutely important to get the inequities out of the project fund. New Brunswickers shouldn't have to worry about the conditions of their roads in their communities being dependent on whether they voted for the party in power, and that's exactly what has happened with the DTI project fund in the past, at least. Liberals and Tories have traded off the majority of the money allocated from this fund, just as they've traded off holding power over the years. My right to information request also uncovered that there's been an additional top-up for the Minister of Transportation and Infrastructure of the day. For example, in the 2024 budget, the riding of Carleton-York received a 120% increase and accounted for 15% of the total fund that year. The numbers are clear: The ridings with government MLAs got more money to spend on roads. Will the Minister of DTI reveal the formulas used over the years?

Hon. C. Chiasson (Grand Falls—Vallée-des-Rivières—Saint-Quentin, Minister of Transportation and Infrastructure, L): Madam Speaker, I don't know what formulas were used in the past and how that money was allocated. What I do know is that when I came into the office, I took a look at this. There were wild fluctuations, as the member opposite alluded to. There was actually one previous minister who had a huge amount of county project money. Madam Speaker, looking at that, it stood out.

It was just a glaring inequity, so I instructed staff to come up with something that was verifiable and fair to all parties. It's based on a base amount of \$50 000 per member, plus a certain amount based on the percentage of provincial roads, not counting provincial-municipal road infrastructure. That's the formula.

Ms. Mitton (Tantramar, G): Thank you, Madam Speaker. When I first filed a right to information request, I was told that DTI does not budget by electoral district, but when I asked at the public accounts committee in the fall, the deputy minister confirmed that this fund exists.

At that committee hearing, the deputy minister also told me that there is a formula for deciding how much each electoral district receives from the district projects fund. This formula can change from government to government. Based on the numbers I received, there's no obvious, clear, fair, and transparent formula that's been used.

This government promised to be the most transparent government ever. Will the minister reveal the formulas, the information DTI has on what formulas were used in the past, and the data for the past years, and will he commit to publicly reporting the information on the district projects fund?

Hon. C. Chiasson (Grand Falls—Vallée-des-Rivières—Saint-Quentin, Minister of Transportation and Infrastructure, L): Madam Speaker, once again, I don't really know what formulas were used in the past. I looked at the numbers myself, and I couldn't figure

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them out. Whether it was just done with a coin toss or whether it was at the whim of the past ministers, I have no idea.

However, I can tell you that when I looked at it, I saw the inequities, and I said: Somebody is going to get in trouble if we don't fix this. So I fixed it. I allotted a base amount to each electoral district. Over and above that, it's based on a percentage. If an electoral district has 1% of the provincial roads, it gets 1% of the county project funding. That's fair. It's based on their... I know the member from Woodstock has a huge electoral district with many, many kilometres of road. He gets quite a chunk of money every year, and I'm sure he's not complaining. It's based on something that's fair.

FUEL PRICES

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Thank you very much, Madam Speaker. I'd like to go back to this government's failure to deliver on its promise to give 8¢ per litre of relief to people at the pumps. We know that this government promised this. It failed to deliver it. It's trying to blame the EUB.

When we were in government, the EUB told us clearly. The civil service told the current government members clearly, now that they're in government, that if they were to try to pull that formula out, it would cause gas stations to close. The industry is saying it, the civil service is saying it, and the EUB is saying it, yet, this government, to try to keep its political promise, is putting fuel supply in jeopardy.

I'd like to ask the minister whether he agrees and believes that gas stations should have been closed for him to keep his promise. New Brunswickers would've been left without fuel. Do you believe that's the right thing to do? Thank you, Madam Speaker.

Hon. Mr. Herron (Hampton-Fundy-St. Martins, Minister of Natural Resources, L): Thank you very much, Madam Speaker, and thank you to the member opposite for his question. I want to be clear on a couple of points. One is that the member opposite would prefer to defend a formula under which all indications are that New Brunswickers were overcharged in year one, year two, and year three. To be clear in terms of this situation, I blame the previous government. It brought in the original carbon adjustor as opposed to just following standard regulatory practice, where the sector comes in and proves its costs. I believe, and the members on this side of the House believe, that New Brunswickers should not pay a penny more than the true cost of compliance.

Madam Speaker (Hon. Ms. Landry): Question period has expired. Do we have unanimous consent to revert to Introduction of Guests?

Hon. Members: Agreed.