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SENT VIA E-MAIL

Darren Christle
Executive Director and Secretary
Public Utilities Board of Manitoba
400 - 330 Portage Ave
Winnipeg MB R3C 0C4

Dear Mr Christle:

Re: Manitoba Hydro 2017/18 & 2018/19 GRA - Information Requests

We are counsel for the Assembly of Manitoba Chiefs (“AMC”) writing in reply to the correspondence of Manitoba Hydro dated August 2, 2017, regarding the above-noted matter.

We acknowledge Hydro’s concerns about the volume of Information Requests. However, in our view, the questions posed by AMC are commensurate with the scale and complexity of Hydro’s application.

In our view, the time-honoured way of controlling the volume of Information Requests is through the criteria of relevance and reasonableness of each question. As Hydro admits, it has not yet had the chance “to conduct an evaluation of each individual Information Request at the outset to assess relevance and reasonableness”. AMC has posed its Information Requests in good faith in an effort to better understand Hydro’s application and its impact on First Nations people in the Province. We do hope that once Hydro has had a chance to fully review the individual questions, it will agree that the questions we have posed are reasonable and relevant. Only when it has completed this review would it be an appropriate time to debate the propriety of each question.

If, after this review, Hydro comes to the conclusion that there are individual questions that are truly duplicative, AMC would be pleased to caucus with other interveners to consolidate any such questions. Having had a chance to review the questions of the other parties, it is not immediately apparent what questions might be debatably duplicative. It would be inefficient for AMC to caucus with three other interveners (as Hydro suggests) to eliminate duplication when Hydro has not yet had a chance to review each individual Information Request to determine which ones, if any, are duplicative.

AMC would also not object to Hydro using cross-references to other answers as answers to Information Requests where a question is indeed duplicative.

We disagree with Hydro's characterization of AMC as having posed 98 Information Requests. There are 56 numbered Information Requests. It is true that some of the questions have been broken down into sub-questions for clarity, but the sub-questions belong in the same question because they are asking for the same information.

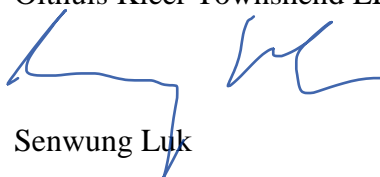
AMC would be supportive of a process in which relevant facts are fully established on the record as soon as possible, and in any event before other steps in the Application, such as expert consultant reports and other intervenor evidence, must be entered into the record. An incomplete record creates uncertainties and inefficiencies in the conduct of the proceedings.

It is our position that proceeding with other steps on the timetable before Hydro fully responds to the first round Information Requests would create uncertainty for the Panel and the Intervenor, and would impede the Panel's ability to reach a fully informed conclusion. Such a disjointed process would also create significant inefficiencies, as expert reports and Intervenor evidence would have to be continuously revisited and revised throughout the process as additional responses are received.

We therefore would be supportive of an extension of the remainder of the hearing timetable in order to permit Hydro to fully answer the first round Information Requests.

We thank the Board for its attention to this matter.

Yours truly,
Olthuis Kleer Townshend LLP



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