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October 8, 2013

Mr. Bob Peters
Fillmore Riley LLP
1700 – 360 Main Street
WINNIPEG, Manitoba R3C 3Z3

Dear Mr. Peters:

RE: MANITOBA HYDRO - NFAT
Preliminary Review of PUB Information Requests

Further to our recent discussions I am writing to outline Manitoba Hydro's concerns with respect to the balance of Round I Information Requests which were not addressed in our earlier exchange. I provided a colour-coded spreadsheet on September 22 detailing those that were missed as the first spreadsheet sent to you stopped at question 237, however, there have been a couple of email exchanges since then raising additional items.

In accordance with Mr. Hombach's request for a letter outlining our concerns, and in order to facilitate a review of all IR's awaiting classification from PUB advisors, we have summarized these matters into the following table. Although not a complete explanation, we offer the following table to assist you in gaining some insight into the reasons for our concern:

<u>PUB IR number</u>	<u>Reason for Concern</u>
PUB-0022b	PUB-0022a and c have been classified as "B" in Order 119/13. This IR is also in our view out of scope and should be classified in the same manner as parts a and c.
PUB-0101	Similar to the other questions seeking to have Manitoba Hydro put Mr. Dunsky's evidence on the record, this question asks MH to file Mr. Dunsky's response to an IR in a prior proceeding.
PUB-0118c	This IR requires substantial new work to be undertaken and is based on a variation of CCGT usage. In our view it should be treated in the same manner as other questions premised on variations incorporating CCGTs, as outlined in Order 119/13 relating to the disposition of PUB-0111.
PUB-0120a,b	Manitoba Hydro will provide a response.
PUB-0171	This IR requires substantial new work to be undertaken and is based on a variation of CCGT usage. In our view it should be treated in the same manner as other questions premised on variations incorporating CCGTs, as outlined in Order 119/13 relating to the disposition of PUB-0111.
PUB-0239	This IR requires substantial new work be undertaken, and is based on "an optimized CCCT plan". In our view it should be treated in the same manner as those addressed in the motion (see disposition regarding PUB-0111).

PUB-0241a-d	These IRs requires substantial new work be undertaken, and is based on “an optimized CCCT plan”. It also contemplates changing some variables in isolation of other related impacts. In our view it should be treated in the same manner as those addressed in the motion (see disposition regarding PUB-0111 et. al., and PUB-0167 et. al.).
PUB-0242 a-d	These IRs also contemplates changing some variables in isolation of other related impacts. In our view it should be treated in the same manner as those addressed in the motion (see disposition regarding PUB-0167 et. al.).
PUB-0243a-c	These IRs require new work, and in the case of parts b and c request changing of specified variables in isolation. In our view, they should be treated in the same manner as the disposition of PUB-0167 et. al.
PUB-0263a-b	Manitoba Hydro will file the requested information.
PUB-0281	The evaluations of the preferred development plan and one alternative using IFF09-1 and IFF11 assumptions would require a significant amount of time to undertake, and are not relevant to the NFAT proceeding. We are of the view that this information request should be withdrawn.
PUB-0282a	MH will provide a response to this question in confidence.
PUB-0283a-b	These IRs require a significant amount of new work and should, in our view be treated in the same manner as the disposition of PUB-0167 et. al.
PUB-0292	Manitoba Hydro will provide a response to this question.

We would be pleased to discuss any of these matters with you further once you've had an opportunity to review the enclosed.

Finally, I note in reviewing Order 119/13 that PUB-0060 which requests a copy of the KPMG report be filed was not addressed in the Order, although it was addressed orally by Manitoba Hydro (see transcript pages 146-147 of the September 30 motion). Manitoba Hydro intends to treat this in the same fashion as the ICF report and will not file the KPMG report, recognizing that if parties wish to put a page from the report with a question relevant to the NFAT to Manitoba Hydro that this may occur during the course of the hearing. I trust you will find this satisfactory.

Yours truly,

MANITOBA HYDRO LAW DIVISION

Per:



MARLA D. BOYD

Barrister and Solicitor

MDB/