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October 30, 2013

Mr. H. Singh
The Public Utilities Board
400 - 330 Portage Avenue
WINNIPEG, Manitoba R3C 0C4

Dear Sir:

**RE: MANITOBA HYDRO NFAT - REVIEW OF THE
INDEPENDENT EXPERT CONSULTANTS REPORTS**

Further to the schedule recently approved in Order 127/13, we note that the Independent Expert Consultants (IECs) reports are to be filed on January 13, 2014.

As you are aware, during the course of meetings and discussions, Manitoba Hydro has disclosed commercially sensitive and/or confidential information (collectively, "CSI") to the IECs. In accordance with the terms of the Non-Disclosure Agreements executed by the IECs, they are to "prepare a report suitable for filing on the public record at the NFAT Review. The Confidant shall not include in the report any CSI or any information that would enable a Third Party to Reverse-Engineer CSI." The IECs also have the obligation, in accordance with paragraph 3(d) of the NDA to take prudent, reasonable steps to protect CSI in its possession from inadvertent disclosure.

In order to ensure that the reports filed on the public record do not inadvertently disclose CSI or information which would permit reverse-engineering of CSI, Manitoba Hydro requires the opportunity to review these reports prior to them being filed on the public record. Given that the schedule approved in Order 127/13 contemplates Information Requests of IEC evidence to be filed by January 24, 2014, it appears that it will be necessary for Manitoba Hydro to review the IEC reports prior to January 13, 2014. We therefore request that the PUB provide direction that IEC reports are to be provided to Manitoba Hydro in confidence on or before January 6, 2014 in order to allow time for this review. Should any reports be available sooner, Manitoba Hydro would appreciate the opportunity to review them earlier, recognizing that some of these reports may be quite lengthy.

As outlined in earlier correspondence, Manitoba Hydro also intends, during the course of this review to provide comments to the IEC which authored the report as to any factual inaccuracies or misunderstandings which may be noted from the review of the report. Manitoba Hydro will provide such comments in writing to the IEC, and will leave to the

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IEC's discretion any changes to be made as a result. In a case where such an amendment relates to confidential information, it may be necessary for Manitoba Hydro to review the amended portion for CSI.

We would appreciate the PUB providing direction to the IEC's in respect of this matter to ensure that all parties have a clear understanding of the deadlines and requirements in order to reduce the risk of inadvertent disclosure of CSI.

Yours truly,

MANITOBA HYDRO LAW DIVISION

Per:

A handwritten signature in black ink, appearing to read "M. Boyd", is written over the printed name.

MARLA D. BOYD
Barrister & Solicitor

cc. Bob Peters, Counsel to PUB
Christian Monnin, Counsel to IECs