

From: [BoardSec](#)
To: [Lillian Ing](#)
Subject: FW: File EB-2013-0321 In the Matter of app of OPG
Date: June 26, 2014 11:34:49 AM

From: Gerard P. Panaro [mailto:gpp@howehutton.com]
Sent: June-26-14 10:27 AM
To: BoardSec
Cc: UTRACKI Chris -STRATBUSSUPP; Don Kaiser; George W Sharp
Subject: File EB-2013-0321 In the Matter of app of OPG

Ms. Hare:

This email is to advise you and the Board that EUCG intends to respond, today, to Mr. Rubenstein's inquiry as to how EUCG data may be "reverse engineered" to disclose the identities of participating utilities.

In the meantime, Ms. Hare, solely in my own name and with all respect to the Board, I wish to take vigorous exception to, and to note my strenuous objection to, Mr. Rubenstein's comments that the letter I submitted on behalf of EUCG, Inc., our client (Ex. K9.4), was simply "a blanket statement" and that he wanted "to understand how much truth there is to that statement." (Transcript, p. 193, lines 20-23).

I carefully and repeatedly inquired of the client as to the detail and accuracy of the statements in my letter, so as to be as specific and responsive to the Board's inquiry as I could be. Further, as a member of the Bars of the District of Columbia and the State of Maryland; as an attorney licensed to practice in both those jurisdictions; as an officer of the court subject to the professional code of responsibility; and as an attorney who has been in practice for 37 years, I am not in the habit of making misrepresentations or statements that I know to be false, or, with due inquiry should have been able to determine are false. I very much personally resent Mr. Rubenstein's comments. I do not want to personalize these proceedings, but neither do I wish Mr. Rubenstein's statements to remain unanswered.

As I said, I expect to submit further comments on EUCG's behalf by close of business today, if at all possible.

Respectfully,

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