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BY EMAIL AND RESS

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto ON M4P 1E4

Dear Ms. Walli:

Re. EB-2017-0182 and EB-2017-0194 (NextBridge East-West Tie (EWT) Line Leave to Construct and related Hydro One station facilities application) and EB-2017-0364 (Hydro One Lake Superior Link (LSL) Leave to Construct)

We write on behalf of NextBridge, in response to Procedural Order No. 7. In that Procedural Order, the OEB required NextBridge to provide unredacted copies of certain documents filed in confidence to participants who have signed the OEB's Declaration and Undertaking (the "Confidential Information"). The OEB indicated that if NextBridge objects to providing the Confidential Information to counsel or consultants to any party who has signed the Declaration and Undertaking, then NextBridge should file a written objection and explanation.

As of the current time, it appears that Declarations and Undertakings have been provided by representatives of several parties in this proceeding, including CCC, MNO, PWU and SEC. We expect that others, including Hydro One's counsel, will also file a Declaration and Undertaking.

NextBridge has no objection to providing all the Confidential Information to counsel or representatives of consumer and ratepayer groups who have signed the Declaration and Undertaking.

NextBridge does object to providing some of the Confidential Information to counsel and representatives of Hydro One and PWU (who are aligned with Hydro One), and counsel and representatives of First Nations and Métis groups. NextBridge believes that certain portions of the documents that have been redacted contain highly sensitive information that is not appropriately provided to such parties, even under the terms of the OEB's Declaration and Undertaking.

Attached to this letter is a Table, setting out each Confidential Information item, along with a description of what parts of each document NextBridge objects to providing and the reasons why.

NextBridge is prepared to provide those items of Confidential Information over which there is no objection to those who have signed a Declaration and Undertaking.

Yours truly,

AIRD & BERLIS LLP

A handwritten signature in blue ink, appearing to read "David Stevens", with a stylized flourish at the end.

David Stevens

cc. all parties in EB-2017-0182 and EB-2017-0194

TABLE A

	IR #	Description	Who can receive the document (assuming Declaration and Undertaking signed)	Portions of document that NextBridge objects to producing	Reasons for the objection
1.	Staff #7, Attachment 2	RFP for EPC Contract	<p>NextBridge will provide the full unredacted document to all ratepayer and consumer groups.</p> <p>With one exception (see next column), NextBridge will provide the full unredacted document to all First Nations and Métis groups.</p> <p>If Hydro One is prepared to provide NextBridge with the unredacted EPC contract (see Undertaking JT2.22), then NextBridge is prepared to provide Hydro One and PWU with NextBridge's unredacted RFP, with three exceptions.</p>	<p>For Hydro One and PWU, NextBridge objects to producing:</p> <p>Exhibit A: Detailed drawings and geotechnical reports</p> <p>Exhibit B: Schedule of Values instructions</p> <p>Exhibit X, Part I: Aboriginal Project Requirements.</p> <p>For First Nations and Métis groups, NextBridge objects to producing Exhibit X, Part I.</p>	<p>It is not appropriate for NextBridge to be required to disclose its full EPC contract (or specific details of the contract) with Hydro One and PWU, if NextBridge does not have equal opportunity to review the Hydro One EPC contract.</p> <p>The detailed drawings and geotechnical reports could be used by Hydro One to complete its own project, while avoiding having to do work itself.</p> <p>The Aboriginal Project Requirements sets out details of NextBridge's aboriginal participation plan that are sensitive and confidential, particularly at a time when both NextBridge and Hydro One are still in the process of completing negotiations with First Nations and Métis groups.</p>
2.	Staff #7, Attachment 3	EPC Contract	<p>NextBridge will provide the full unredacted document to all ratepayer and consumer groups.</p> <p>With one exception (see next column), NextBridge will provide the full unredacted document to all First Nations and Métis groups.</p> <p>If Hydro One is prepared to provide NextBridge with Hydro One's unredacted EPC contract (see Undertaking JT2.22), then NextBridge is prepared</p>	<p>For Hydro One and PWU, NextBridge objects to producing:</p> <p>Exhibit A, Appendix A: Detailed drawings and geotechnical reports</p>	<p>For Exhibits A and X, see above.</p> <p>Exhibit B includes detailed information about NextBridge's anticipated costs are commercially sensitive between NextBridge and Valard and have been developed through many years of work. It is not appropriate for this information to be</p>

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		to provide Hydro One and PWU with NextBridge's unredacted RFP, with two exceptions.	<p>Exhibit B: Detailed cost breakdown</p> <p>Exhibit X, Part I: Contractor's Aboriginal Participation Plan</p> <p>For First Nations and Métis groups, NextBridge objects to producing Exhibit X, Part I.</p>	provided to Hydro One, who are preparing their own competing project.
3.	CCC#8	Detailed project budget	NextBridge objects to providing the unredacted document to Hydro One and PWU. NextBridge will provide the unredacted document to all other parties.	For Hydro One and PWU, NextBridge objects to producing the redacted portions of the document.
4.	SEC#18	Information about contract costs	All parties	N/A
5.	SEC#20	Information about contents of the EPC contract	NextBridge will provide the full unredacted response to all ratepayer and consumer and First Nations and Métis groups.	None, as long as Hydro One discloses its EPC contract with NextBridge.
				It is not appropriate for NextBridge to be required to disclose its full EPC contract (or specific details of the contract) with Hydro One and PWU, if NextBridge does not have equal opportunity to review the Hydro One EPC contact.

TABLE A

IR #	Description	Who can receive the document (assuming Declaration and Undertaking signed)	Portions of document that NextBridge objects to producing	Reasons for the objection
		<p>With three exceptions (see next column), NextBridge will provide the full unredacted document to all.</p> <p>If Hydro One is prepared to provide NextBridge with the unredacted EPC contract (see Undertaking JT2.22), then NextBridge is prepared to provide Hydro One and PWU with this unredacted response.</p>		
6.	Staff#56, Attachment	<p>Provide a copy of the “comprehensive data book” referred to in NextBridge Board of Directors presentation</p>	<p>NextBridge will provide the full unredacted document to all ratepayer and consumer groups.</p> <p>With one exception (see next column), NextBridge will provide the full unredacted document to all First Nations and Métis groups.</p> <p>NextBridge objects to providing the redacted portions of the comprehensive data book to Hydro One and PWU</p>	<p>For the First Nations and Métis groups, NextBridge objects to producing pages C-13 and C-19 (which is two sheets).</p> <p>NextBridge objects to producing all redacted sections and pages to Hydro One and PWU.</p> <p>Pages C-13 and C-19 describe NextBridge’s full budget for First Nation and Métis participation. Some discussions are ongoing with these parties, and NextBridge’s competitive and negotiating position would be adversely affected by disclosure of this information, even on a confidential basis, to representatives of the parties with whom negotiations continue. Similarly, Hydro One continues its own negotiations, and it could unfairly benefit from knowing NextBridge’s strategy and budget.</p> <p>All the redacted pages include detailed information about NextBridge’s anticipated costs and plans that have been developed through many years of work. It is not appropriate for this information to be provided to Hydro One, who are preparing their own competing project.</p>