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April 21, 2011

**VIA E-MAIL and RESS**

Board Secretary  
Ontario Energy Board  
P.O. Box 2319, 26th Floor  
2300 Yonge Street  
Toronto, Ontario  
M4P 1E4

***Attention: Ms. Kirsten Walli***

Dear Ms. Walli:

**Re: ACH Limited Partnership (ACH”), Application for Licence Amendment, EB-2011-0065; and  
AbiBow Canada Inc. (“AbiBow”), Application for Licence Amendment, EB-2011-0068**

This letter is written on behalf of AbiBow, an Applicant in these proceedings, and supported by ACH, the other Applicant. The purpose of this letter is to propose a reasonable schedule for the completion of this application. Of particular concern to the Applicants is the potential for uncertainty and financial harm resulting from an unnecessary delay in the proceedings.

The only issue in this case is whether the Board will implement a trivial administrative change to the Applicants’ licences. A case of this type typically takes 30-45 days. This does not now seem possible.

This application was filed on March 3, 2011. Counsel for First Nations started filing submissions on this matter on March 9, 2011. Despite the fact that counsel has had over a month to consider and develop their position and evidence on this matter it has asked for the Board to give it until May 6, 2011 to respond to objections to its intervention. The Board has not yet responded to this request or provided any schedule for the completion of these proceedings.

Unless the Board brings this matter to a resolution shortly, the Applicant AbiBow will face significant financial harm. Specifically, June 9, 2011 is the last date on which Abitibi may redeem at a fixed price US\$100MM of notes using the proceeds of the sale of ACH. If the redemption does not occur by then, Abitibi would be required to use such proceeds to repurchase the notes on the open market or to continue to pay interest on such notes. In either case, it will cost AbiBow several million dollars a year more than it would have incurred had it exercised its redemption right. **In order to be in a position to exercise its redemption right by June 9, 2011, it requires a decision by May 20, 2011.**

As a result, AbiBow would be seriously prejudiced if a decision were unnecessarily delayed.

To assist in the timely resolution of this matter, the Applicants are prepared to waive their objection to the First Nations' request for Intervenor status. Although the Applicants do not believe that the First Nations' have a "substantial interest" in these proceedings as required by Rule 23 of the Board's Rules of Practice, the Applicants believe that the importance of having this matter resolved in a timely manner is more important than insisting upon their legal rights.

Given that the only issue in this proceeding is whether a Schedule to the ACH's generator licence would change (with no change in its substantive obligations), resolving this matter by May 20, 2011 should be fairly straight-forward. This is especially the case in light of the fact that the Application was filed on March 3, 2011 and the only persons who have applied for Intervenor status are the First Nations. AbiBow therefore proposes the following schedule:

|  |          |
|--|----------|
| Interrogatories on Applicants' Evidence    | April 29 |
| Applicants' Responses to Interrogatories   | May 2    |
| Intervenors' Evidence (if necessary)       | May 4    |
| Applicants' Interrogatories (if necessary) | May 5    |
| Response to Applicants' Interrogatories    | May 9    |
| Intervenors' Submissions                   | May 13   |
| Applicants' Reply Submissions              | May 16   |

All of which is respectfully submitted.

*Signed in the original*

George Vegh  
McCarthy Tétrault LLP

c: Douglas Keshen  
Jim Gartshore, Vice-President Energy and General Manager,  
ACH Limited Partnership  
Alice Minville, Senior Counsel, AbitibiBowater Inc.