mccarthy tetrault

June 10, 2011, 2011

Ontario Energy Board 2300 Yonge Street Suite 2700 Toronto Ontario M4P 1E4

**Attention: Board Secretary** 

Dear Ms. Walli:

Re: Union Gas Limited ("Union") – Red Lake Project Board File Nos. EB-2011-0040; EB-2011-0041; and EB-2011-0042

This letter is written on behalf of the Applicant Union with respect to the scheduling of the proceeding as addressed in Procedural Order No. 2 in this matter.

In its letter to the Board dated June 9, 2011, counsel for Lac Seul First Nation ("LSFN") advised requested an extension of time to file argument in this matter. It based this request on the claim that:

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- it had not received notice of the proceeding,
- Goldcorp Inc. ("Goldcorp") had requested an extension; and
- an extension would not prejudice any of the parties.

Union objects to the extension of time and requests the Board to maintain the schedule in Procedural Order No. 2. In response to the LSFN's grounds for requesting an extension, Union notes the following:

- LSFN was served with the Notice of Application on March 29, 2011 (a Copy of the Canada Post Track Result is attached);
- Goldcorp has retracted its request for an extension; and
- Union has conferred with Goldcorp and can advise the Board that both Union and Goldcorp would be seriously prejudiced if there is an additional delay to the proceeding. The current in-service date for the pipeline is mid-November, 2011 (See: Schedule 11, p. 1). A delay in the schedule could result in missing the construction season causing serious prejudice to both Union and Goldcorp.

Union therefore respectfully requests that the Board not grant the extension of time requested by LSFN.

George Vegn



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