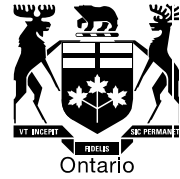


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Re: Goldcorp - Leave-To-Construct, EB-2011-0106

On June 27, 2011 counsel for Lac Seul First Nation (LSFN) filed a letter with the Board requesting an extension of time for filing submissions as set out in Procedural Order No. 1 and requesting an order of the Board for the production of Goldcorp's Mine Development Plan (the "Plan"). Goldcorp refused to provide the Plan in response to LSFN's interrogatory 16(c) claiming confidential communication privilege.

LSFN objected to Goldcorp's claim that the Plan was confidential and stated that Goldcorp had not made a request for confidentiality pursuant to clause 5.1.5 of the Board's Practice Direction on Cost Awards and that LSFN was not granted any opportunity to object to the request for confidentiality.

LSFN further submitted that the Plan was "crucial in evaluating the need for the proposed facilities, for verifying Goldcorp's load forecast" and was relevant to the Board's decision in this proceeding.

On June 28, 2011 Goldcorp filed a letter in response to LSFN's letter of June 27, 2011. Goldcorp objected to LSFN's request to defer the dates for filing arguments, noting that LSFN had already filed its arguments and that further delay was not required. Goldcorp

further submitted that it should not be required to provide the Plan.

On July 4, 2011 LSFN filed a letter in response to Goldcorp's June 28th letter and submitted that this proceeding should not be closed until the Board and relevant parties have had an opportunity to review the Plan.

The Board has determined that it will not require Goldcorp to file the Plan. The Board notes that LSFN has filed its submissions in which it argues that need has not been established and that it is necessary to examine the Plan as part of the determination of need. Goldcorp could have chosen to file the Plan and sought confidential treatment. Instead it has indicated that it will not file the Plan voluntarily, even on a confidential basis. The Board will not compel Goldcorp to file the Plan and will address in its decision the issue of the sufficiency of the evidence in support of the application.

Given that the Board has decided that it will not compel Goldcorp to file the Plan, no further procedural steps are required in relation to this matter.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

c: All interested parties