



McCarthy Tétrault LLP  
Box 48, Suite 5300  
Toronto Dominion Bank Tower  
Toronto ON M5K 1E6  
Canada  
Tel: 416-362-1812  
Fax: 416-868-0673

**Kristyn Annis**  
Direct Line: 416.601.7624  
Email: kannis@mccarthy.ca

April 3, 2012

**Via Email and RESS**

Ontario Energy Board  
2300 Yonge Street  
P.O. Box 2319  
Suite 2700  
Toronto ON M4P 1E4

Attention: Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: EB-2011-0063 – Request to respond to Six Nations cost submissions**

The Board issued a decision and order on cost awards (the “Cost Decision”) on March 29, 2012 in which it awarded Six Nations Council its full costs in the proceeding. The Board’s decision was based on the cost claim (the “Cost Claim”) of Blakes, Cassels & Graydon LLP (“Blakes”) on behalf of Six Nations Council. Despite the fact that Six Nations Council was represented by experienced legal counsel, the Cost Claim was not filed properly. In particular, the Cost Claim was not circulated to intervenors, the Applicant’s internal representative, nor was it filed on RESS. As of April 3, 2012, the Cost Claim had still not been posted on the Board website for EB-2011-0063. As a result, responsible individuals at Grand Renewable Wind Limited Partnership who were relying on the established filing process and web drawer to be notified of documents were not made aware of the Cost Claim.

In light of the foregoing, we hereby request that the Board defer its Cost Decision until the Applicant has had an opportunity to respond to the Cost Claim. The Applicant further requests a detailed invoice of the charges incurred by Blakes that includes descriptions associated with the time billed. The Applicant seeks this opportunity to review in order to ensure that all costs being claimed are appropriately assigned to the leave to construct hearing.

Yours very truly,

McCarthy Tétrault LLP

Per:

*signed in the original*

Kristyn Annis

c: Intervenors