## Giffen & Partners

Barristers, Solicitors and Notaries Public

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Our Reference: 2491-7028

August 28, 2012

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By E-mail - <u>boardsec@ontarioenergyboard.ca</u> By Facsimile: - 1-416-440-7656 By Overnight Courier (2 copies)

## Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli

Re: Tribute Resources Inc. and Bayfield Resources Inc. on behalf of Huron Bayfield Limited Partnership and Bayfield Pipeline Corp. (collectively "Tribute") Applications for Huron Bayfield Pool and Stanley Pool - Gas Storage Project Board File Nos. EB-2011-0076; EB-2011-0077; EB-2011-0078; EB-2011-0285

Intervenors and the applicant in the above proceedings, Tribute Resources Inc. et al., have now completed the written evidentiary and interrogatory stages of the above proceedings. It is the applicant's position that given the significant landowner support for the projects and the limited number of remaining contestable issues in the proceeding, it might now be appropriate to convene a settlement conference to attempt to narrow the remaining few issues.

The applicant recognizes that the Ontario Superior Court has not yet delivered its decision in respect of the interpretation and wording of the narrow 'gas sands' issue, which will directly affect the matter of the compensation issue involving McKinley and 2195002 Ontario Inc., but that decision is expected within a few weeks. In the meantime, the applicant has a commercial window of November 1, 2012 by which it is required to have received an Ontario Energy Board decision on the applications in order to meet its contractual obligations with Market Hub Partners.

If it is possible that issues can be narrowed to reduce valuable hearing time, the applicant is interested in working toward that objective.

Yours truly,

GIFFEN & PART Christopher A. Lewis Per /rgb

cc: McKinley Farms Ltd., 2195002 Ontario Inc. and Intervenors (see attached list)

## BY EMAIL TO:

Tribute Resources Inc. 309-D Commissioners Road West London, ON N6J 1Y4 Attn: Jennifer Lewis Email: jlewis@tributeresources.com

McKinley Farms Ltd. P.O. Box 1900 St. Marys, ON N4X 1C2 Attn: Al Corneil Email: acorneil@ttc.on.ca

2195002 Ontario Inc. P.O. Box 1900 St. Marys, ON N4X 1C2 Attn: Al Corneil Email: acorneil@ttc.on.ca

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Huron County Federation of Agriculture (HCFA) P.O. Box 429 Clinton, ON NOM 1LO Attn: Paul Nairn, OFA Member Service Representative Email: paul.nairn@ofa.on.ca

Ministry of Natural Resources Legal Services Branch Room 3420 99 Wellesley Street West Toronto, ON M7A 2S9 Attn: Phillip John Polten Email: phil.pothen@ontario.ca Attn: Demetrius Kappos Email: demetrius.kappos@ontario.ca Municipality of Bluewater P.O. Box 250 14 Mill Avenue Zurich, ON NOM 1GO Attn: Stephen McAuley, Chief Administrative Officer/Clerk Email: <u>s.mcauley@town.bluewater.on.ca</u>

Stanley Bayfield Landowners Group 37869 Mill Road R.R. #1 Bayfield, ON NOM 1GO Attn: Marni Van Aaken Email: <u>vanaaken@tcc.on.ca</u>

TransCanada Pipelines Ltd. 450 - 1 Street S.W. Calgary, AB T2P 5H1 Attn: Patrick M. Keys, Senior Regulatory Counsel Email: patrick\_keys@transcanada.com Attn: James Bartlett, Manager, Regulatory Research & Analysis Email: jim\_bartlett@transcanada.com Attn: Nadine Berge, Senior Legal Counsel Email: nadine\_berge@transcanada.com

TransCanada Pipelines Ltd. 200 Bay Street, Royal Bank Plaza 24th Floor, South Tower Toronto, ON M5J 2J1 Attn: Murray Ross Email: murray\_ross@transcanada.com

Union Gas Limited P.O. Box 2001 50 Keil Drive North Chatham, ON N7M 5M1 Attn: Mark Murray, Manger Regulatory Projects & Lands Acquisition Email: mmurray@uniongas.com

Zurich Landowners Association P.O. Box 304 Zurich, ON NOM 2TO Attn: Heather Redick, Chair Executive Committee Email: zurichlandowner@hay.net

Northern Cross Energy Limited Suite 840-700 – 4<sup>th</sup> Avenue S.W. Calgary, AB, T2P 3J4 Attn: Lynn O'Neil, Manager, Land and Contracts Email: <u>loneil@northerncross.ca</u>

## BY MAIL TO:

Mary Erb R.R. #1 Bayfield, ON NOM 1GO