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November 22, 2012

**File #11-616**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319, 26th Floor  
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**By Email – [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)**  
**By Fax – 1-416-440-7656**  
**By Regular Mail**

Dear Ms. Walli:

**Re: Tribute Resources Inc.**  
**Application for Huron Bayfield and Stanley Gas Storage Project Development**  
**Board File Nos. EB-2011-0076, EB-2011-0077, EB-2011-0078, EB-2011-0285**

In our letter dated October 1, 2012 (enclosed herewith), we requested that the Board accept the Declaration and Undertaking of Steven A. Colquhoun, as a consultant of McKinley Farms Ltd. and 2195002 Ontario Inc.

Please be advised that we have not received a response to said request.

Please kindly provide a response to said request at your earliest convenience.

Yours very truly,  
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October 1, 2012  
**File #11-616**

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Board Secretary  
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Dear Ms. Walli:


**Re: Tribute Resources Inc.  
Application for Huron Bayfield and Stanley Gas Storage Project Development  
Board File Nos. EB-2011-0076, EB-2011-0077, EB-2011-0078, EB-2011-0285**

In accordance with Rule 6.1.1 and Rule 6.1.2 of the OEB's *Practice Direction on Confidential Filings*, we request that the confidential documents referred to in the Board's Procedural Orders No. 4 be disclosed, in their entirety, to Steven A. Colquhoun, a consultant of McKinley Farms Ltd. and 2195002 Ontario Inc.

Please find enclosed a copy of the Board's Declaration and Undertaking executed by Steven A. Colquhoun.

We hereby request that the Board accept the Declaration and Undertaking of Steven A. Colquhoun.

Yours very truly,  
**Chinneck Law**  
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EB-2011-0076  
EB-2011-0077  
EB-2011-0078  
EB-2011-0285

## **ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B; and in particular sections 36.1(1), 38(1), 40(1), 90(1), thereof;

**AND IN THE MATTER OF** an application by Tribute Resources Inc. for an Order designating the areas known as the Stanley 4-7-XI Pool and the Bayfield Pool, in the County of Huron, as gas storage areas;

**AND IN THE MATTER OF** an application by Tribute Resources Inc. for authority to inject gas into, store gas in and remove gas from the areas designated as the Stanley 4-7-XI Pool and the Bayfield Pool and to enter into and upon the lands in the said areas and use the land for such purposes;

**AND IN THE MATTER OF** an application by Tribute Resources Inc. to the Ministry of Natural Resources for a license to drill wells in the said areas;

**AND IN THE MATTER OF** an application by Tribute Resources Inc. for an Order granting leave to construct natural gas pipelines in the County of Huron and in the County of Middlesex;

**AND IN THE MATTER OF** an application by Tribute Resources Inc. for a determination in respect of the compensation payable under Section 38 of the *Ontario Energy Board Act, 1998*.

**AND IN THE MATTER OF** an request by Tribute Resources Inc. requested that two documents be held in confidence in accordance with Rule 10 of the Board's Rules of Practice and Procedure and in accordance with the Board's Practice Direction on Confidential Filings ("Practice Direction") dated October 13, 2011.

## **DECLARATION AND UNDERTAKING**

I, Steven A. Colquhoun, am a consultant for McKinley Farms Ltd. and 2195002 Ontario Inc.

## DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

## UNDERTAKING

I undertake that:

1. I will use Confidential Information exclusively for duties performed in respect of this proceeding.
2. I will not divulge Confidential Information except to a person granted access to such Confidential Information or to the Board.
3. I will not reproduce, in any manner, Confidential Information without the prior written approval of the Board. For this purpose, reproducing Confidential Information includes scanning paper copies of Confidential Information, copying the Confidential Information onto a diskette or other machine-readable media and saving the Confidential Information onto a computer system.
4. I will protect Confidential Information from unauthorized access.
5. With respect to Confidential Information other than in electronic media, I will, promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding:
  - (a) return to the Board Secretary, under the direction of the Board Secretary, all documents and materials in all media containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information; or
  - (b) destroy such documents and materials and file with the Board Secretary a certification of destruction in the form prescribed by the Board pertaining to the destroyed documents and materials.
6. With respect to Confidential Information in electronic media, I will:
  - (a) promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding, expunge all documents and materials containing

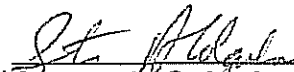
Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information, from all electronic apparatus and data storage media under my direction or control and file with the Board Secretary a certificate of destruction in the form prescribed by the Board pertaining to the expunged documents and materials; and

(b) continue to abide by the terms of this Declaration and Undertaking in relation to any such documents and materials to the extent that they subsist in any electronic apparatus and data storage media under my direction or control and cannot reasonably be expunged in a manner that ensures that they cannot be retrieved.

7. For the purposes of paragraphs 5 and 6, the end of this proceeding is the date on which the period for filing a review or appeal of the Board's final order in this proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.

8. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at London this 27<sup>th</sup> day of September, 2012.

  
\_\_\_\_\_  
**Steven A. Colquhoun**  
Member and Partner of MREH and  
Terrabyte LLC.  
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**Tribute Resources Inc.  
EB-2011-0076  
APPLICANT & LIST OF INTERVENORS**

| <b>APPLICANT</b>                 | <b>Rep. and Address for Service</b>  |
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**EB-2011-0076**  
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**Tribute Resources Inc.  
EB-2011-0078  
APPLICANT & LIST OF INTERVENORS**

**APPLICANT**

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**Tribute Resources Inc.  
EB-2011-0078  
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**Tribute Resources Inc.**  
**EB-2011-0078**  
**APPLICANT & LIST OF INTERVENORS**

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**Tribute Resources Inc.  
EB-2011-0285  
APPLICANT & LIST OF INTERVENORS**

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