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**Commission de l'énergie  
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**BY E-MAIL  
ONLY**

December 17, 2012

Jed M. Chinneck  
Chinneck Law  
37 Ridout Street S.  
London ON N6C  
3W7

Dear Mr. Chinneck:

**Re: Tribute Resources Inc.  
Amended Applications for Huron Bayfield Storage Project  
Development, Board File Nos.  
EB-2011-0076; EB-2011-0077; EB-2011-0078/EB-2011-0285**

The Board has received your letter dated November 29, 2012, responding to the Board's letter of the same date. In your letter you suggest that the Board's failure to respond on a timely basis to your letter of October 1, 2012, in which you ask that the Board accept the Declaration and Undertaking of your consultant, appears to have prejudiced your client.

It is the Board's position that there has been no prejudice. If and when the compensation application (EB-2011-0285) is reinstated the Board will be asking parties who wish to review the confidential information to file a Declaration and Undertaking at that time.

As set out in your submission on the Confidentiality Request made by Tribute in relation to its confidential Business Plan and Pipeline Feasibility Assessment (the "Documents") filed with the Board on July 26, 2012 at paragraph 12 you state:

Information contained in the Documents is relevant to the determination of compensation for Objecting Parties, which is the purpose of intervention in this matter.

Further, the following is set out at paragraph 13 of your submission:

Access to the information contained in the Documents, if the Documents were ordered to be confidential, would prevent the Objecting Parties from being sufficiently able to present their case, because the financial information contained in the Documents are necessary in order to properly evaluate the level of compensation owed to the Objecting Parties.

The Board, in its Decision on the Confidentiality Request issued on August 27, 2012 stated the following at page 3:

Lastly the Board notes that counsel for McKinley, having signed the Declaration and Undertaking, has access to the confidential documents and as such there is no merit to the claim that McKinley would be unable to sufficiently present its case with respect to compensation.

As such, the Board takes the position that there is no prejudice to your client as the issue of compensation has been stayed.

Yours truly,

*Original signed by*

Kirsten Walli  
Board Secretary

cc: Tribute and all registered parties in EB-2011-0076, EB-2011-0077, and EB-2011-0078, EB-2011-0285 proceeding