77 King Street West Suite 3000, PO Box 95 TD Centre North Tower Toronto, ON M5K IG8 t: 416.864.9700 | f: 416.941.8852 foglers.com

Reply To:

Thomas Brett 416.941.8861

Direct Dial: E-mail:

tbrett@foglers.com

Our File No. 134380

May 5, 2014

VIA RESS, EMAIL AND COURIER

Ontario Energy Board 2300 Yonge Street Suite 2700 Toronto Ontario M4P 1E4

Attention:

Kirsten Walli,

Board Secretary

Dear Ms. Walli:

Re:

Reply to Santo Giorno's letter dated May 2, 2014

Board File No. EB-2014-0022

Suncor is writing the Board in response to Mr. Giorno's letter of earlier today. Mr. Giorno argues that "supplementary interrogatories" are different from "timed interrogatories", and thus not subject to the Board's Rule 28.02(f) for timely submission.

Suncor respectfully submits that the Board's rules make no such distinction. Sections 28 and 29 provide an extensive guideline for all parties with respect to the purpose of IRs, and the manner in which they should be stated and replied to. Procedural Order #1 set out the date for filing (April 3, 2014), and responding to the IRs (April 17, 2014). Suncor suggests Mr. Giorno has misinterpreted the letter and intent of the Board's Rules of Practice and Procedure. Suncor urges the Board to decline to entertain Mr. Giorno's interpretation of these Rules. Suncor notes that it filed fulsome answers to all parties' IRs on April 17, 2014, and respectfully suggests that the Board move to the next stage of the process.

Yours sincerely,

FOGLER, RUBINOFF LLP

Thomas Brett

TB/dd

cc:

All Parties