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April 27, 2017

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, ON
M4P 1E4

Attention: Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: EB-2016-0105 – Thunder Bay Hydro
Revised Settlement Proposal
And update on Tsimberg Expert Report**

Thunder Bay Hydro (“**TBH**”) is writing pursuant to Procedural Order No. 4.

Attached to this letter is a revised settlement proposal which has been amended in accordance with the Board’s determination made during the oral hearing held on April 20, 2017. A blackline showing the relevant changes is also attached.

Further to the Board’s determination on April 20, 2017, TBH is requesting the permission of the Board to withdraw from the evidentiary record the original Tsimberg letter dated March 24, 2017. This is necessary to permit Mr. Tsimberg to update his opinion evidence to reflect the Board’s determination made on April 20, 2017.

TBH does intend to file additional written opinion evidence from Mr. Tsimberg (the “**New Tsimberg Expert Report**”). Unfortunately, Mr. Tsimberg has limited availability during the months of May and June.

TBH is proposing a filing date of the New Tsimberg Expert Report on May 15, 2017.

Mr. Tsimberg is in Europe between May 25 – June 16th. If the Board chooses to hold a technical conference to provide the parties in the proceeding with an opportunity to conduct pre-discovery of the New Tsimberg Expert Report, we would ask that it be done prior to his departure. TBH would also request that the Board limit the scope of the technical conference to discovery only on the New Tsimberg Expert Report. This would: (1) facilitate discovery of the New Tsimberg Expert Report; (2) avoid creating an additional round of discovery on the balance of the Application; and (3) avoid having to fly 4 witnesses in from Thunder Bay to attend the technical conference (which creates additional scheduling complications).

If the Board chooses to permit discovery while Mr. Tsimberg is away, TBH would ask that the discovery process be conducted in writing and that extra time be allocated to allow for the fact that Mr. Tsimberg is out of the country.

Finally, in light of the delay in the oral hearing, TBH would like to make the Board aware of certain of TBH's schedule limitations. Key members of the TBH team are not available on and between:

- May 23-June 2nd
- June 20-27th
- July 10-19th

Yours very truly,

BORDEN LADNER GERVAIS LLP

Per:

Original signed by John A.D. Vellone

John A.D. Vellone

CC: Intervenors of record in EB-2016-0105