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**Reply To: NICHOLAS ROLFE**

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November 20, 2019

Ontario Energy Board  
2300 Yonge Street, 27th floor  
P.O. Box 2319  
Toronto, ON M4P 1E4  
Attn: Kirsten Walli, Board Secretary

*Sent via email to: boardsec@oeb.ca*

Dear Ms. Walli:

**Re: Imperial Oil Limited Application Number EB-2019-007 for Leave to Construct –  
Waterdown to Finch Project (the "Project")**

Please find enclosed the Declarations and Undertakings of:

- 1) Katherine Frankl, counsel for the City of Toronto.
- 2) Dr. Alan Murray, the external consultant to the City of Toronto in this matter;
- 3) Nicholas Rolfe, counsel for the City of Toronto, and;
- 4) William J. Snodgrass, a Senior Engineer of the City of Toronto;

We note Imperial's comment in its letter of November 18, 2019 that, while reserving its rights, it "does not anticipate objecting to any Intervenor's request to access the Confidential Documents at this time". We further note the Board's comment at page 10 of its November 14, 2019 Decision and Order (the "Order") that the materials subject to the undertaking may be helpful to Toronto and the remaining municipal intervenors. Pursuant to the Order, Toronto requires access to the proposed confidential information.

Please be advised that Mr. Snodgrass and Ms. Frankl (as well as the undersigned) are employees of the City of Toronto. Section 6.1.3 of the Board's Practice Direction on Confidential Filings permits accepting a Declaration and Undertaking from such persons in appropriate cases. We respectfully submit that it is crucial for the counsel and engineer of Toronto's choice to have access to the Confidential Documents, making this an appropriate case.

For the above-noted individuals, we have taken the liberty of striking through the reference in paragraph 2 of the Form of Declaration and Undertaking relating to (non)-employee status.

Yours respectfully,

A handwritten signature in black ink, appearing to read 'Nicholas Rolfe', written in a cursive style.

Nicholas Rolfe  
*City of Toronto, Legal Services*