

January 8, 2021

EMAIL ONLY

Ms. Christine Long
Registrar, Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, Ontario M4P 1E4

Dear Ms. Long,

Re: EB-2019-0166 – Lagasco Inc. Natural Gas Pipelines

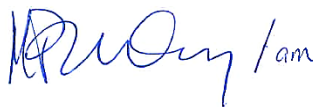
On behalf of the Municipalities, we support the position set out in the letter sent to the Board today by counsel for MPAC. For the reasons set out in that letter, we submit that OPI's attempt to introduce fresh evidence at this late stage of the Board's process must be rejected.

In support of that position, we would note just two other points.

First, a very similar attempt by OPI to introduce fresh evidence in the form of voluminous new Exhibits on its intervention before the Divisional Court in the *Tribute* appeal was rejected by that Court, for reasons given by Hockin J. dated September 29, 2017 and an Addendum to those Reasons dated October 30, 2017. I have attached both the Reasons and Addendum to Reasons of Hockin J. for the benefit of those parties or Board members who may not already have them.

Second, and more importantly, in our submission the integrity of the Board's own *Rules of Practice and Procedure* simply breaks down when intervenors who have sat on the sidelines, are then allowed at this late stage to circumvent the orderly process which those *Rules* lay out, with resulting unfairness to all other parties who have complied with the *Rules*, in the absence of compelling circumstances that are completely absent in this case.

Yours truly,

A handwritten signature in blue ink, appearing to read 'M. Philip Tunley /am'.

M. Philip Tunley
Partner
MPT/am