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March 22, 2021

Via RESS & EMAIL

Ms. Christine E. Long
Board Secretary
Ontario Energy Board
Suite 2700, 2300 Yonge Street
P.O. Box 2319
Toronto, ON M4P 1E4

Dear Ms. Long:

Re: EB-2020-0150
Upper Canada Transmission, Inc.'s ("NextBridge")
Timing of Intervenor Compendia

This letter is with respect to the timing of intervenor materials to be used in cross-examination for the online hearing, which is scheduled to commence on March 29, 2021.

The Board's Virtual Hearings Guide (the "Guide") provides that "intervenors are required to file compendia in electronic form one day in advance of their scheduled cross-examination by 4:45 pm" (at p.5). The Guide does not specify whether the days should be measured as business days or calendar days. In this case, given that the hearing starts on Monday March 29, NextBridge submits that, at a minimum, the Guide should be interpreted to require that materials should be provided no later than one business day before the hearing, i.e., Friday March 25. This approach is consistent with the Ontario Rules of Civil Procedure, which provide that "where a period of seven days or less is prescribed, holidays shall not be counted." (Rule 3.01(b)).

Further, as the Applicant's witnesses in this case will not be physically together, and will be attending the hearing from various locations in North America, coordinating the distribution of materials and helping witnesses prepare for cross-examination poses additional challenges and requires more time. In light of this, Board staff advised intervenors that, "Given the challenges posed by the virtual environment, NextBridge is asking that all parties' compendia (including any new calculations or information not currently on the record) be filed by Thursday, March 25, at 11:00 a.m."

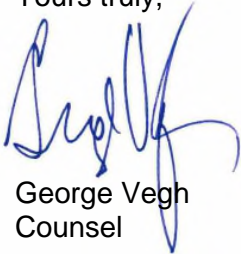
Notwithstanding the Guide and the Applicant's request, counsel for VECC advised by email on March 18 that "I don't see a reason to depart from past practice that the compendium (if one

chooses to use one) is provided at the start of examination. In any event it is unlikely I will be in the position to circulate something before the 28th.”

NextBridge submits that this approach is not constructive and is unlikely to lead to efficient hearing preparation and would be unfair to the witnesses. NextBridge therefore requests the Board to direct that all parties file any compendia by Thursday, March 25, at 11:00 a.m. and, in any event, no later than March 26 at 11:00 a.m.

All of which is respectfully submitted.

Yours truly,

A handwritten signature in blue ink, appearing to read "George Vegh". The signature is stylized and cursive.

George Vegh
Counsel

GV/mt

cc. All Parties in EB-2020-0150