



**GILBERT'S**

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February 17, 2023

**Delivered by email**

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto ON M4P 1E4

Dear Ms. Marconi,

**Re: Ontario Energy Board File No. EB-2022-0140  
HDI Time Dockets**

We are counsel to the Haudenosaunee Development Institute (“**HDI**”), intervenor in the above-noted proceeding. We write in response to your letter of February 14, 2023.

The time dockets provided February 9, 2023 were redacted on the basis of solicitor-client privilege, i.e., category 6 of Appendix B of the Ontario Energy Board’s Practice Direction on Confidential Filings. The top of the time docket document is labelled “Redacted for Privilege”.

We believe the redacted portions contain information that reveals, among other things, the content of conversations with our client and strategy undertaken pursuant to those conversations. Accordingly, we request that the time dockets filed February 9 be allowed to remain redacted on the basis of solicitor-client privilege. The potential harm that could result from filing unredacted versions of the dockets is a waiver of said privilege.

If necessary, and given the back and forth correspondence on this issue to date, I would be happy to discuss on a call to reach a final resolution. I can be reached at 204-391-9737.

Yours very truly,

**GILBERT'S LLP**

Jack MacDonald