

February 17, 2023

Delivered by email

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street, 27th 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 docket 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 docket 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