

# McCarthy Tétrault

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**RECEIVED**

JUL 12 2007

ONTARIO ENERGY BOARD

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July 11, 2007

**BY OVERNIGHT COURIER**

Mr. Peter H. O'Dell  
Assistant Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor, P.O. Box 2319  
Toronto, ON M4P 1E4

Dear Mr. O'Dell:

**Re: Pearson International Fuel Facilities Corporation (PIFFC)  
Additional Storage and Supply Project  
Application for Leave to Construct  
Board File No.: EB-2007-0009**

Further to your letter dated May 24, 2007, attached is the Affidavit of James S. Fee, who is the President of the Applicant, PIFFC, attesting to the authenticity of the evidence provided in support of the Application.

Should you have any questions or concerns, please do not hesitate to contact me.

Yours very truly,

**McCarthy Tétrault LLP**

Per:



Jeffrey E. Feiner

JEF/vy  
Encl.

*EB-2007-0009*

OEB BOARD SECRETARY	
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McCarthy Tétrault

July 11, 2007

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Mr. Peter H. O'Dell

c: Stephen Vieira, FSM Management Group Inc. – *by e-mail only*  
Garry Doyle, Marshall Macklin Monaghan Limited – *by fax only* #(905) 882-7300  
George Vegh

**ONTARIO ENERGY BOARD**

**PEARSON INTERNATIONAL FUEL FACILITIES CORPORATION  
APPLICATION FOR LEAVE TO CONSTRUCT A JET FUEL PIPELINE  
IN THE CITY OF MISSISSAUGA**

**AFFIDAVIT OF JAMES S. FEE  
(sworn July 10, 2007)**

I, JAMES S. FEE, of the City of Bainsville, in the Province of Ontario, MAKE OATH AND SAY:

1. I am the President of the Applicant, Pearson International Fuel Facilities Corporation (“PIFFC” or the “Company”), and as such have knowledge of the matters to which I hereinafter depose. I have taken the steps necessary to inform myself of the matters that are the subject of this affidavit. I am authorized to make this affidavit on behalf of the Company. Where my knowledge is based upon information and belief, I indicate so.
2. On January 3, 2007, PIFFC filed an application pursuant to section 90 of the *Ontario Energy Board Act, 1998*, for an Order of the Ontario Energy Board (the “Board”) granting leave to construct approximately 5.6 kilometres of a 16-inch diameter jet fuel pipeline in the City of Mississauga. That application was given file number EB-2007-0009 (the “Application”).
3. Prior to swearing this affidavit, I reviewed the Application, the materials filed in support of the Application (collectively the “filed materials”), and the representations made by officials of the Company and its agents to the Board, and all correspondence related to the Application, including electronic messages between PIFFC’s experts and the Board.
4. I understand that the Board intends to rely upon the information, statements and representations made in the Application, the filed materials, and the correspondence when deciding whether to issue an Order granting PIFFC leave to construct the jet fuel pipeline.
5. I am swearing this Affidavit in support of the Application and for no other or improper purpose.

SWORN BEFORE ME at the City of  
*Sept*, on *10*, 2007.

*Howard Gold*  
A Commissioner for Taking Affidavits

#4181549



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*James S. Fee*  
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JAMES S. FEE

*July 10/07*  
*Howard Gold*  
*Commissioner of Oath*  
*July 10/07*  
*Howard Sue*  
*Canada*