

Message

From: Picard, Michel [mpicard@kpmg.ca]
Sent: 2017-11-02 11:28:43 AM
To: Michael Boll [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4811917e15054407b665fe16d12ff415-Michael Bol]
CC: Kim Marshall [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b63a22b42bf14587870d93119a054d88-Kim Marshall]
Subject: RE: Clean & B.line - MTSA

Michael,

I would also like to point out that, as mentioned on page 17 point #3 of our final draft KPMG letter to IESO dated May 16, 2017, that "The IESO will obtain a written legal opinion as to the validity and enforceability of the transfer and sale of the regulatory asset". The Canadian Audit Standards requires the IESO's auditor to obtain such a written legal opinion.

Best regards,

Michel

From: Picard, Michel
Sent: Thursday, November 02, 2017 10:38 AM
To: 'Michael Boll' <Michael.Boll@ieso.ca>
Cc: Kim Marshall <Kim.Marshall@ieso.ca>
Subject: RE: Clean & B.line - MTSA

Michael,

My initial view is that section 3.13 is creating a covenant/obligation for the IESO to pay for these carrying costs. As a result, if my analysis is confirmed, IESO would have to set-up a financial liability for the carrying costs for the period prescribed by Regulations.

I need to consult with Gale Kelly and also obtain a legal opinion as to whether section 3.13 is creating a covenant/obligation for the IESO. In that respect, what is your lawyers' view on the latter?

Best regards,

Michel

From: Michael Boll [<mailto:Michael.Boll@ieso.ca>]
Sent: Friday, October 27, 2017 1:46 PM
To: Kim Marshall <Kim.Marshall@ieso.ca>; Picard, Michel <mpicard@kpmg.ca>
Subject: FW: Clean & B.line - MTSA

FYI – and Michel, can you please let us know your thoughts? Particularly on section 3.13, the IESO's obligation to pay carrying costs?

Michael

From: Peter Hamilton [<mailto:PHamilton@stikeman.com>]
Sent: October 27, 2017 1:39 PM
To: Feldman, Michael (mfeldman@torys.com); rramchandani@torys.com

Cc: Glenn Zacher; Michael Boll; Anthony Martinello; Jeannette Briggs
Subject: FW: Clean & B.line - MTSA

Please see revised draft MTSA attached.

Peter Hamilton

Direct: +1 416 869 5564
Email: phamilton@stikeman.com

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Stikeman Elliott LLP Barristers & Solicitors

5300 Commerce Court West, 199 Bay Street, Toronto, ON M5L 1B9 Canada

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