

O'Reilly & Associés

A V O C A T S

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By email

February 12, 2010

Board of Commissioners of Public Utilities
c/o Cheryl Blundon
Director Corporate Services & Board Secretary
Suite E210, Prince Charles Building
120 Torbay Road
St. John's, NL A1A 5B2

Re : **Application by Nalcor Energy pursuant to s 5.5(1) of the Electrical Power Control Act – Request for an oral hearing**

Dear Ms. Blundon,

We are writing to request an oral hearing in the above captioned proceedings.

More particularly, the intervenors the Innu of Uashat mak Mani-Utenam, the Innu Takuaikan Uashat mak Mani-Utenam Band Council and certain traditional families of the Uashat mak Mani-Utenam Innu Nation request a hearing on the following issues:

- Does the establishment of the Water Management Agreement or the management of water thereunder trigger a duty to consult and accommodate the Intervenor?
- Does the Board of Commissioners of Public Utilities have the jurisdiction and obligation to decide whether this duty to consult and accommodate has been triggered and whether this duty has been discharged?
- In all circumstances, and in any event, should the Board of Commissioners of Public Utilities order Nalcor and CF(L)Co. to consult and accommodate the Intervenor?

We are available on February 25th and 26th, 2010 for a hearing of these issues, if so ordered.

Trusting the foregoing is satisfactory, I remain,

Yours truly,

O'REILLY & ASSOCIÉS



Gary Carot

cc. David Schulze, Counsel for the Innu of Ekuanishit
Geoffrey P. Young, Counsel for Nalcor Energy
Jamie Smith, Q.C., Counsel for Churchill Falls (Labrador) Corporation