

Undertaking 106

Re: *ProEnergy Contract Variance*

Undertake to provide a copy of any such opinion that grounded your decision to resolve the matter (providing there are no privilege or confidentiality issues around them).

The only written opinions sought or received was a legal opinion regarding an analysis of the facts and law overlaid upon the terms of the contract. Opinions regarding this matter are solicitor-client privileged and are confidential, as it is legal advice given and received by counsel for Hydro.