

WITH RESPECT TO THE FIRST MOTION BY CASIL THAT:

- The Commission immediately suspend the current Wuskwatim hearings;
- Require MH and NCN to provide the Commission, within a time-period specified by the Commission, full and sufficient information regarding the nature and amount, if any of compensation that will be paid for impacts to NCN as a result of the Wuskwatim projects
- Then, after such information is provided, the Commission resume its hearings for full consideration by the Commission and the public of the information provided.

While Article 8 and the motion brought forward by CASIL are relevant to this proceeding, the Commission is of the view that the Wuskwatim hearings should continue as currently scheduled. The Commission has already heard evidence about the need for possible compensation for adverse effects being included in the capital cost projections for the project. In addition, the Commission has heard evidence about contingency factors being included in the capital cost projections.

The Commission is of the view that the issue of specific costs of possible compensation is not of enough significance to adjourn the hearings.

THEREFORE, THE FIRST MOTION IS DISMISSED.

WITH RESPECT TO CASIL'S ALTERNATIVE MOTION THAT:

- The Commission continue with the current Wuskwatim hearings as scheduled
- The Commission require MH and NCN to provide to it, within a specified time-period, full and sufficient information regarding the amount, if any, compensation that will be paid for impacts to NCN as a result of the Wuskwatim projects
- Keep open the current sitting of the Commission regarding the Wuskwatim projects until the Commission has received full and sufficient evidence from NCN and MH regarding the amount, if any, compensation that will be paid for impacts to NCN as a result of the Wuskwatim projects
- Then, after which time, the Commission continue with these hearings for full consideration by the Commission and the public of the information provided.

The Commission recognizes that compensation costs are an important part of the total capital costs put forth by MH and NCN. The Commission also understands that the provision of "full information" regarding compensation may prejudice negotiations between parties. At the conclusion of the hearings and in its final deliberations, the Commission will consider all of the evidence given by MH, NCN, and the participants with respect to the projected capital costs which includes the evidence about compensation and contingencies. If the Commission is of the view that further information with respect to compensation costs is required, it may make recommendations in that regard in its final report.

THEREFORE, THE SECOND MOTION IS DISMISSED.