

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(Commercial List)**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT*  
ACT, R.S.C. 1985, c. C-36, AS AMENDED**

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF JUST ENERGY GROUP INC., JUST ENERGY CORP., ONTARIO ENERGY COMMODITIES INC., UNIVERSAL ENERGY CORPORATION, JUST ENERGY FINANCE CANADA ULC, HUDSON ENERGY CANADA CORP., JUST MANAGEMENT CORP., 11929747 CANADA INC., 12175592 CANADA INC., JE SERVICES HOLDCO I INC., JE SERVICES HOLDCO II INC., 8704104 CANADA INC., JUST ENERGY ADVANCED SOLUTIONS CORP., JUST ENERGY (U.S.) CORP., JUST ENERGY ILLINOIS CORP., JUST ENERGY INDIANA CORP., JUST ENERGY MASSACHUSETTS CORP., JUST ENERGY NEW YORK CORP., JUST ENERGY TEXAS I CORP., JUST ENERGY, LLC, JUST ENERGY PENNSYLVANIA CORP., JUST ENERGY MICHIGAN CORP., JUST ENERGY SOLUTIONS INC., HUDSON ENERGY SERVICES LLC, HUDSON ENERGY CORP., INTERACTIVE ENERGY GROUP LLC, HUDSON PARENT HOLDINGS LLC, DRAG MARKETING LLC, JUST ENERGY ADVANCED SOLUTIONS LLC, FULCRUM RETAIL ENERGY LLC, FULCRUM RETAIL HOLDINGS LLC, TARA ENERGY, LLC, JUST ENERGY MARKETING CORP., JUST ENERGY CONNECTICUT CORP., JUST ENERGY LIMITED, JUST SOLAR HOLDINGS CORP. AND JUST ENERGY (FINANCE) HUNGARY ZRT

Applicants

**SUPPLEMENTARY RESPONDING MOTION RECORD OF HAIDAR OMARALI  
IN HIS CAPACITY AS REPRESENTATIVE PLAINTIFF in *OMARALI v. JUST ENERGY*  
(Motion for Authorization Order, Meetings Order,  
Stay Extension and Other Relief)  
(returnable June 7, 2022)**

**KOSKIE MINSKY LLP**  
900-20 Queen Street West  
Toronto, ON M5H 3R3

**David Rosenfeld** LSO #51143A  
Tel: 416-595-2700 / Fax: 416-204-2894  
[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)

**Aryan Ziaie** LSO #70510Q  
Tel: 416-595-2104 / Fax: 416-204-2815  
[aziaie@kmlaw.ca](mailto:aziaie@kmlaw.ca)

**James Harnum** LSO #60459F  
Tel: 416-542-6285 / Fax: 416-204-2819  
[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)

**Counsel for Haidar Omarali in his capacity as  
Representative Plaintiff *Omarali v. Just Energy***

**To: See Service List**

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF **JUST ENERGY GROUP INC.**, JUST ENERGY CORP., ONTARIO ENERGY COMMODITIES INC., UNIVERSAL ENERGY CORPORATION, JUST ENERGY FINANCE CANADA ULC, HUDSON ENERGY CANADA CORP., JUST MANAGEMENT CORP., JUST ENERGY FINANCE HOLDING INC., 11929747 CANADA INC., 12175592 CANADA INC., JE SERVICES HOLDCO I INC., JE SERVICES HOLDCO II INC., 8704104 CANADA INC., JUST ENERGY ADVANCED SOLUTIONS CORP., JUST ENERGY (U.S.) CORP., JUST ENERGY ILLINOIS CORP., JUST ENERGY INDIANA CORP., JUST ENERGY MASSACHUSETTS CORP., JUST ENERGY NEW YORK CORP., JUST ENERGY TEXAS I CORP., JUST ENERGY, LLC, JUST ENERGY PENNSYLVANIA CORP., JUST ENERGY MICHIGAN CORP., JUST ENERGY SOLUTIONS INC., HUDSON ENERGY SERVICES LLC, HUDSON ENERGY CORP., INTERACTIVE ENERGY GROUP LLC, HUDSON PARENT HOLDINGS LLC, DRAG MARKETING LLC, JUST ENERGY ADVANCED SOLUTIONS LLC, FULCRUM RETAIL ENERGY LLC, FULCRUM RETAIL HOLDINGS LLC, TARA ENERGY, LLC, JUST ENERGY MARKETING CORP., JUST ENERGY CONNECTICUT CORP., JUST ENERGY LIMITED, JUST SOLAR HOLDINGS CORP. AND JUST ENERGY (FINANCE) HUNGARY ZRT.

(each, an “**Applicant**”, and collectively, the “**Applicants**”)

**SERVICE LIST**

(as at May 13, 2022)

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<u><b>PARTY</b></u>	<u><b>CONTACT</b></u>
<p><b>OSLER, HOSKIN &amp; HARCOURT LLP</b> Box 50, 1 First Canadian Place 100 King Street West, Suite 6200 Toronto, ON M5X 1B8</p> <p>Fax: 416.862.6666</p> <p>Counsel to the Applicants</p>	<p><b>Marc Wasserman</b> Tel: 416.862.4908 Email: <a href="mailto:MWasserman@osler.com">MWasserman@osler.com</a></p> <p><b>Michael De Lellis</b> Tel: 416.862.5997 Email: <a href="mailto:MDeLellis@osler.com">MDeLellis@osler.com</a></p> <p><b>Jeremy Dacks</b> Tel: 416.862.4923 Email: <a href="mailto:JDacks@osler.com">JDacks@osler.com</a></p> <p><b>Shawn Irving</b> Tel: 416.862.4733 Email: <a href="mailto:SIrving@osler.com">SIrving@osler.com</a></p> <p><b>Dave Rosenblat</b> Tel: 416.862.5673 Email: <a href="mailto:DRosenblat@osler.com">DRosenblat@osler.com</a></p>
<p><b>JUST ENERGY GROUP INC.</b> 100 King Street West, Suite 2630 Toronto, ON M5X 1E1</p> <p>Applicant</p>	<p><b>Jonah T. Davids</b> EVP, General Counsel and Corporate Secretary Tel: 416.367.2574 Email: <a href="mailto:JDavids@justenergy.com">JDavids@justenergy.com</a></p> <p><b>Michael Carter</b> Chief Financial Officer Email: <a href="mailto:mcarter@justenergy.com">mcarter@justenergy.com</a></p>
<p><b>KIRKLAND &amp; ELLIS LLP</b> 601 Lexington Avenue New York, NY 10022</p> <p>Fax: 212.446.4900</p> <p>609 Main St, Houston TX 77002, United States</p> <p>Fax: 713.836.3601</p> <p>U.S. Counsel to the Applicants</p>	<p><b>Brian Schartz</b> Tel: 212.446.5932 / 713.836.3755 Email: <a href="mailto:brian.schartz@kirkland.com">brian.schartz@kirkland.com</a></p> <p><b>Mary Kogut Brawley</b> Tel: 713.836.3650 Email: <a href="mailto:mary.kogut@kirkland.com">mary.kogut@kirkland.com</a></p>

<p><b>FTI CONSULTING CANADA INC.</b> P.O. Box 104, TD South Tower 79 Wellington Street West Toronto Dominion Centre, Suite 2010 Toronto, ON, M5K 1G8</p> <p>Fax: 416.649.8101</p> <p>Monitor</p>	<p><b>Paul Bishop</b> Tel: 416.649.8053 Email: <a href="mailto:paul.bishop@fticonsulting.com">paul.bishop@fticonsulting.com</a></p> <p><b>Jim Robinson</b> Tel: 416.649.8070 Email: <a href="mailto:jim.robinson@fticonsulting.com">jim.robinson@fticonsulting.com</a></p>
<p><b>THORNTON GROUT FINNIGAN LLP</b> 100 Wellington St W, Suite 3200 Toronto, ON M5K 1K7</p> <p>Fax: 416.304.1313</p> <p>Counsel to the Monitor</p>	<p><b>Robert Thornton</b> Tel: 416.304.0560 Email: <a href="mailto:rthornton@tgf.ca">rthornton@tgf.ca</a></p> <p><b>Rebecca Kennedy</b> Tel: 416.304.0603 Email: <a href="mailto:rkennedy@tgf.ca">rkennedy@tgf.ca</a></p> <p><b>Rachel Nicholson</b> Tel: 416.304.1153 Email: <a href="mailto:rnicholson@tgf.ca">rnicholson@tgf.ca</a></p> <p><b>Puya Fesharaki</b> Tel: 416.304.7979 Email: <a href="mailto:pfesharaki@tgf.ca">pfesharaki@tgf.ca</a></p>
<p><b>PORTER HEDGES LLP</b> 1000 Main St, 36th Floor Houston, TX 77002</p> <p>Fax: 713.226.6248</p> <p>U.S. Counsel to the Monitor</p>	<p><b>John F. Higgins</b> Tel: 713.226.6648 Email: <a href="mailto:JHiggins@porterhedges.com">JHiggins@porterhedges.com</a></p>

<p><b>CASSELS BROCK &amp; BLACKWELL LLP</b> Scotia Plaza, Suite 2100, 40 King St W Toronto, ON M5H 3C2</p> <p>Fax: 416.360.8877</p> <p>Canadian Counsel to the DIP Lenders</p>	<p><b>Ryan Jacobs</b> Tel: 416.860.6465 Email: <a href="mailto:rjacobs@cassels.com">rjacobs@cassels.com</a></p> <p><b>Jane Dietrich</b> Tel: 416.860.5223 Email: <a href="mailto:jdietrich@cassels.com">jdietrich@cassels.com</a></p> <p><b>Michael Wunder</b> Tel: 416.860.6484 Email: <a href="mailto:mwunder@cassels.com">mwunder@cassels.com</a></p> <p><b>Joseph Bellissimo</b> Tel: 416.860.6572 Email: <a href="mailto:jbellissimo@cassels.com">jbellissimo@cassels.com</a></p> <p><b>Alan Merskey</b> Tel: 416.860.2948 Email: <a href="mailto:amerskey@cassels.com">amerskey@cassels.com</a></p> <p><b>John M. Picone</b> Tel: 416.640.6041 Email: <a href="mailto:jpicone@cassels.com">jpicone@cassels.com</a></p> <p><b>Christopher Selby</b> Tel: 416.860.6737 Email: <a href="mailto:cselby@cassels.com">cselby@cassels.com</a></p> <p><b>Jeremy Bornstein</b> Tel: 416.869.5386 Email: <a href="mailto:jbornstein@cassels.com">jbornstein@cassels.com</a></p>
<p><b>AKIN GUMP STRAUSS HAUER &amp; FELD LLP</b> Bank of America Tower, 1 Bryant Park New York, NY 10036</p> <p>Fax: 212.872.1002</p> <p>111 Louisiana Street, 44<sup>th</sup> Floor Houston, TX 77002-5200</p> <p>Fax: 713.236.0822</p> <p>U.S. Counsel to the DIP Lenders</p>	<p><b>David Botter</b> Tel: 212.872.1055 Email: <a href="mailto:dbotter@akingump.com">dbotter@akingump.com</a></p> <p><b>Abid Qureshi</b> Tel: 212.872.8027 Email: <a href="mailto:aqureshi@akingump.com">aqureshi@akingump.com</a></p> <p><b>Zach Wittenberg</b> Tel: 212.872.1081 Email: <a href="mailto:zwittenberg@akingump.com">zwittenberg@akingump.com</a></p> <p><b>Chad Nichols</b> Tel: 713.250.2178 Email: <a href="mailto:cnichols@akingump.com">cnichols@akingump.com</a></p>

<p><b>HOLLAND &amp; KNIGHT LLP</b> 150 N. Riverside Plaza, Suite 2700 Chicago, IL 60606</p> <p>Fax: 312.578.6666</p> <p>Counsel to the DIP Agent</p>	<p><b>Daniel Sylvester</b> Tel: 312.715.5880 Email: <a href="mailto:daniel.sylvester@hklaw.com">daniel.sylvester@hklaw.com</a></p> <p><b>Phillip Nelson</b> Tel: 312.578.6584 Email: <a href="mailto:phillip.nelson@hklaw.com">phillip.nelson@hklaw.com</a></p>
<p><b>MCCARTHY TETRAULT LLP</b> 66 Wellington Street West Suite 5300, TD Bank Tower Box 48 Toronto, ON M5K 1E6</p> <p>Fax: 416.868.8772</p> <p>Canadian Counsel to the Agent and the Credit Facility Lenders</p>	<p><b>Heather Meredith</b> Tel: 416-601-8342 Email: <a href="mailto:hmeredith@mccarthy.ca">hmeredith@mccarthy.ca</a></p> <p><b>James D. Gage</b> Tel: 416.601.7539 Email: <a href="mailto:jgage@mccarthy.ca">jgage@mccarthy.ca</a></p> <p><b>Justin Lapedus</b> Tel: 416.601.8289 Email: <a href="mailto:jlapedus@mccarthy.ca">jlapedus@mccarthy.ca</a></p> <p><b>D.J. Lynde</b> Tel: 416.601.8231 Email: <a href="mailto:dlynde@mccarthy.ca">dlynde@mccarthy.ca</a></p> <p><b>Natasha Rambaran</b> Tel: 416.601.8110 Email: <a href="mailto:nrambaran@mccarthy.ca">nrambaran@mccarthy.ca</a></p>
<p><b>CHAPMAN AND CUTLER LLP</b> 111 West Monroe Street Chicago, IL 60603-4080</p> <p>Fax: 312.701.2361</p> <p>U.S. Counsel to the Credit Facility Lenders</p>	<p><b>Stephen R. Tetro II</b> Tel: 312.845.3859 Email: <a href="mailto:stetro@chapman.com">stetro@chapman.com</a></p> <p><b>Michael Reed</b> Tel: 312.845.3458 Email: <a href="mailto:mmreed@chapman.com">mmreed@chapman.com</a></p>

<p><b>NORTON ROSE FULBRIGHT CANADA LLP</b> Norton Rose Fulbright Canada LLP 400 3<sup>rd</sup> Avenue SW, Suite 3700 Calgary, AB T2P 4H2</p> <p>Fax: 403.264.5973</p> <p><b>NORTON ROSE FULBRIGHT US LLP</b> 2200 Ross Avenue, Suite 3600 Dallas, Texas 75201-7932</p> <p>Fax: 214.855.8200</p> <p>Counsel to Shell Energy North America (Canada) Inc. and Shell Energy North America (US)</p>	<p><b>Howard Gorman</b> Tel: 403.267.8144 Email: <a href="mailto:howard.gorman@nortonrosefulbright.com">howard.gorman@nortonrosefulbright.com</a></p> <p><b>Ryan Manns</b> Tel: 214.855.8304 Email: <a href="mailto:ryan.manns@nortonrosefulbright.com">ryan.manns@nortonrosefulbright.com</a></p>
<p><b>DENTONS CANADA LLP</b> 77 King St W Suite 400 Toronto, ON M5K 0A1</p> <p>Fax: 416.863.4592</p> <p>Canadian Counsel to BP Canada Energy Marketing Corp., BP Energy Company, BP Corporation North America Inc., and BP Canada Energy Group ULC</p>	<p><b>David Mann</b> Tel: 403.268.7097 Email: <a href="mailto:david.mann@dentons.com">david.mann@dentons.com</a></p> <p><b>Robert Kennedy</b> Tel: 416.367.6756 Email: <a href="mailto:robert.kennedy@dentons.com">robert.kennedy@dentons.com</a></p> <p><b>Kenneth Kraft</b> Tel: 416-863-4374 Email: <a href="mailto:kenneth.kraft@dentons.com">kenneth.kraft@dentons.com</a></p> <p><b>Gordon Tarnowsky</b> Tel: 1.403.268.3024 Email: <a href="mailto:gord.tarnowsky@dentons.com">gord.tarnowsky@dentons.com</a></p> <p><b>Mark A. Freake</b> Tel: 416.863.4456 Email: <a href="mailto:mark.freake@dentons.com">mark.freake@dentons.com</a></p> <p><b>Michael D. Schafler</b> Tel: 416.863.4457 Email: <a href="mailto:michael.schafler@dentons.com">michael.schafler@dentons.com</a></p>



<p><b>HAYNES AND BOONE, LLP</b> 1221 McKinney Street Suite 4000 Houston, TX 77010</p> <p>Fax: 713.547.2600</p> <p><b>HAYNES AND BOONE, LLP</b> 1050 17th Street Suite 1800 Denver, CO 80265</p> <p>Fax: 303.382.6210</p> <p>U.S. Counsel to BP</p>	<p><b>Kelli Norfleet</b> Tel: 713.547.2630 Email: <a href="mailto:kelli.norfleet@haynesboone.com">kelli.norfleet@haynesboone.com</a></p> <p><b>Arsalan Muhammad</b> Tel: 713.547.2257 Email: <a href="mailto:arsalan.muhammad@haynesboone.com">arsalan.muhammad@haynesboone.com</a></p> <p><b>Patrick L. Hughes</b> Tel: 303.382.6221 Email: <a href="mailto:patrick.hughes@haynesboone.com">patrick.hughes@haynesboone.com</a></p>
<p><b>TORYS LLP</b> 79 Wellington Street West, 30th Floor Box 270, TD South Tower Toronto, ON M5K 1N2</p> <p>Fax: 416.865.7380</p> <p>Counsel to the Term Loan Lenders (Sagard Credit Partners, LP, LVS III SPE XV LP, TOCU XVII LLC, HVS XVI LLC, and OC II LVS XIV LP)</p>	<p><b>Tony DeMarinis</b> Tel: 416.865.8162 Email: <a href="mailto:tdemarinis@torys.com">tdemarinis@torys.com</a></p> <p><b>Scott Bomhof</b> Tel: 416.865.7370 Email: <a href="mailto:sbomhof@torys.com">sbomhof@torys.com</a></p>
<p><b>BORDEN LADNER GERVAIS LLP</b> Barristers and Solicitors 22 Adelaide Street West Bay Adelaide Centre, East Tower Toronto, Ontario M5H 4E3</p> <p>Fax: 416.367.6749</p> <p>Counsel to Chubb Insurance Company of Canada</p>	<p><b>James W. MacLellan</b> Tel: 416.367.6592 Email: <a href="mailto:jmaclellan@blg.com">jmaclellan@blg.com</a></p> <p><b>R. Bevan Brooksbank</b> Tel: 416.367.6604 Email: <a href="mailto:bbrooksbank@blg.com">bbrooksbank@blg.com</a></p>

<p><b>McMILLAN LLP</b> Brookfield Place 181 Bay St, Suite 4400 Toronto ON M5J 2T3</p> <p>Counsel for Morgan Stanley Capital Group Inc.</p>	<p><b>Tushara Weerasooriya</b> Tel: 416.865.7890 Email: <a href="mailto:tushara.weerasooriya@mcmillan.ca">tushara.weerasooriya@mcmillan.ca</a></p> <p><b>Shahen Mirakian</b> Tel: 416.865.7238 Email: <a href="mailto:shahen.mirakian@mcmillan.ca">shahen.mirakian@mcmillan.ca</a></p> <p><b>Stephen Brown-Okruhlik</b> Tel: 416.865.7043 Email: <a href="mailto:stephen.brown-okruhlik@mcmillan.ca">stephen.brown-okruhlik@mcmillan.ca</a></p>
<p><b>EXELON GENERATION COMPANY, LLC</b> 100 Constellation Way, Suite 500C Baltimore, Maryland 21202</p>	<p><b>Patrick J. Woodhouse</b> Assistant General Counsel Email: <a href="mailto:Patrick.Woodhouse@constellation.com">Patrick.Woodhouse@constellation.com</a></p> <p><b>Michael Strohmeier</b> Email: <a href="mailto:Michael.Strohmeier@constellation.com">Michael.Strohmeier@constellation.com</a></p>
<p><b>BRUCE POWER L.P.</b> P.O. Box 1540, Building B10 177 Tie Road Municipality of Kincardine Tiverton, ON N0G 2T0</p> <p>Fax: 519.361.1845</p>	<p>Email: <a href="mailto:Bill.SCHNURR@brucepower.com">Bill.SCHNURR@brucepower.com</a></p>
<p><b>EDF TRADING NORTH AMERICA, LLC</b> 4700 West Sam Houston Parkway North Suite 250 Houston, TX 77041</p> <p>Fax: 281.653.1454</p>	<p>Email: <a href="mailto:Gerald.Nemec@edfenergyna.com">Gerald.Nemec@edfenergyna.com</a></p> <p>Email: <a href="mailto:Frank.Smejkal@edfenergyna.com">Frank.Smejkal@edfenergyna.com</a></p>

<p><b>NEXTERA ENERGY POWER MARKETING, LLC</b> 700 Universe Blvd. Juno Beach, FL 33408</p> <p>Fax: 561.625.7642</p>	<p>Email: <a href="mailto:ELLIOT.BONNER@nexteraenergy.com">ELLIOT.BONNER@nexteraenergy.com</a></p> <p>Email: <a href="mailto:Allison.Ridder@nexteraenergy.com">Allison.Ridder@nexteraenergy.com</a></p>
<p><b>MACQUARIE BANK LIMITED</b> 50 Martin Place Sydney, NSW 2000 Australia</p> <p>Fax: 61.2.8232.4540</p> <p>Copy to:</p> <p>Macquarie Bank Limited Representative Office 500 Dallas Street, Suite 3300 Houston, TX 77002</p> <p>Fax: 713.275.8978</p>	<p>Email: <a href="mailto:FICC.notices@macquarie.com">FICC.notices@macquarie.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:FICClegalHouston@Macquarie.com">FICClegalHouston@Macquarie.com</a></p>
<p><b>MACQUARIE ENERGY CANADA LTD.</b> 500 Dallas Street, Suite 3300 Houston, TX 77002</p> <p>Fax: 713.275.8978</p>	<p>Email: <a href="mailto:FICClegalHouston@Macquarie.com">FICClegalHouston@Macquarie.com</a></p>
<p><b>MACQUARIE ENERGY LLC</b> 500 Dallas Street, Suite 3300 Houston, TX 77002</p> <p>Fax: 713.275.8978</p>	<p>Email: <a href="mailto:FICClegalHouston@Macquarie.com">FICClegalHouston@Macquarie.com</a></p>

<p><b>MORGAN STANLEY CAPITAL GROUP</b> Morgan Stanley &amp; Co. LLC 1585 Broadway Avenue New York, NY 10036</p> <p>Fax: 718.233.2140</p>	<p>Email: <a href="mailto:msloanservicing@morganstanley.com">msloanservicing@morganstanley.com</a></p>
<p><b>BRITISH COLUMBIA UTILITIES COMMISSION</b> Suite 410, 900 Howe Street Vancouver, BC V6Z 2N3</p> <p>Fax: (604) 660-1102</p> <p>Copy to :</p> <p><b>BRIDGEHOUSE LAW LLP</b> 9th Floor, 900 West Hastings Street Vancouver, BC V6C 1E5</p> <p>Fax: (604) 684-0916</p>	<p>Email: <a href="mailto:commission.secretary@bcuc.com">commission.secretary@bcuc.com</a></p> <p>Copy to:</p> <p><b>Benjamin La Borie</b> Tel: (236) 521-6150 Email: <a href="mailto:blaborie@bridgehouselaw.ca">blaborie@bridgehouselaw.ca</a></p>
<p><b>FORTIS BC ENERGY INC.</b> 16705 Fraser Highway Surrey, BC V4N 0E8</p>	<p>Email: <a href="mailto:gas.regulatory.affairs@fortisbc.com">gas.regulatory.affairs@fortisbc.com</a></p> <p>Email: <a href="mailto:electricity.regulatory.affairs@fortisbc.com">electricity.regulatory.affairs@fortisbc.com</a></p>
<p><b>ALBERTA ELECTRICITY SYSTEM OPERATOR</b> Calgary Place 2500, 330 – 5th Avenue SW Calgary, AB T2P 0L4</p> <p>Fax: 403.539.2949</p>	<p>Email: <a href="mailto:info@aeso.ca">info@aeso.ca</a></p> <p><b>Chun Seto</b> <i>Credit Risk Analyst</i> Email: <a href="mailto:Chun.Seto@aeso.ca">Chun.Seto@aeso.ca</a></p>
<p><b>ALBERTA GOVERNMENT</b> Commerce Place, 3rd Floor 10155 – 102 Street NW Edmonton, AB T5J 4L4</p>	<p><b>Scott Hood</b> Statute Administration - Consumer Programs E-mail: <a href="mailto:scott.hood@gov.ab.ca">scott.hood@gov.ab.ca</a></p>

<p><b>ALBERTA UTILITIES COMMISSION</b> Eau Claire Tower 1400, 600 Third Avenue S.W. Calgary, Alberta T2P 0G5</p>	<p><b>JP Mousseau</b> General Counsel Tel : (403) 592-4452 Email : <a href="mailto:jp.mousseau@auc.ab.ca">jp.mousseau@auc.ab.ca</a></p>
<p><b>ATCO GAS AND PIPELINES LTD.</b> 10035 – 105 Street P.O. Box 2426 Edmonton, AB T5J 2V6s  Fax: 780.420.7928 / 780.420.3839  Copy to:  <b>ATCO GAS AND PIPELINES LTD.</b> 5302 Forand Street S.W. Calgary, AB T3E 1T9</p>	<p><b>Knox Davidson</b> Senior Analyst, Credit Finance &amp; Risk Email: <a href="mailto:Knox.Davidson@atco.com">Knox.Davidson@atco.com</a>  Email: <a href="mailto:RetailerContact@atcogas.com">RetailerContact@atcogas.com</a>  Email: <a href="mailto:Credit@ATCO.com">Credit@ATCO.com</a></p>
<p><b>APEX UTILITIES INC.</b> <b>(formerly ALTAGAS UTILITIES INC.)</b> 5509 – 45 Street Leduc, AB T9E 6T6  Fax: 780.986.5220</p>	<p><b>NO LONGER WITH FIRM</b> <b>Kristen Lozynsky</b> Senior Regulatory Counsel Email : <a href="mailto:klozynsk@apexutilities.ca">klozynsk@apexutilities.ca</a>  BOUNCE BACK HAS: <a href="mailto:mstock@apexutilities.ca">mstock@apexutilities.ca</a> for any regulatory matters  On original email list:  Email: <a href="mailto:regulatory@apexutilities.ca">regulatory@apexutilities.ca</a></p>
<p><b>ATCO ELECTRIC LTD.</b> 10035 – 105 Street P.O. Box 2426 Edmonton, AB T5J 2V6  Fax: 780.420.8984 / 780.420.7056  Copy to:  <b>ATCO ELECTRIC LTD.</b> 5302 Forand Street S.W. Calgary, AB T3E 1T9</p>	<p><b>Knox Davidson</b> Senior Analyst, Credit Finance &amp; Risk Email: <a href="mailto:Knox.Davidson@atco.com">Knox.Davidson@atco.com</a>  Email: <a href="mailto:RetailerServices@atcoelectric.com">RetailerServices@atcoelectric.com</a>  Email: <a href="mailto:Credit@ATCO.com">Credit@ATCO.com</a></p>

<p><b>BATTLE RIVER POWER COOP</b> P.O. Box 1420 Camrose, AB T4V 1X3</p> <p>Fax: 780.672.7969</p>	<p>Email: <a href="mailto:brpc@brpower.coop">brpc@brpower.coop</a></p>
<p><b>TOWN OF CARDSTON</b> 67 3rd Avenue West P.O. Box 280 Cardston, AB T0K 0K0</p> <p>Fax: 403.562.2499</p>	
<p><b>BLAKE, CASSELS &amp; GRAYDON LLP</b> 595 Burrard Street, Suite 2600 Vancouver, BC V7X 1L3</p> <p>Fax: 604.631.3309</p> <p>Counsel to ENMAX Power Corporation</p>	<p><b>Peter Bychawski</b> Tel: 604.631.4218 Email: <a href="mailto:peter.bychawski@blakes.com">peter.bychawski@blakes.com</a></p>
<p><b>BLAKE, CASSELS &amp; GRAYDON LLP</b> 3500 Bankers Hall East 855 - 2nd Street S.W., Suite 3500 Calgary AB T2P 4J8</p> <p>Fax: 403.260.9700</p> <p>Counsel for Macquarie Energy LLC and Macquarie Energy Canada Ltd.</p>	<p><b>Kelly J Bourassa</b> Tel : 1.403.260.9697 Email: <a href="mailto:kelly.bourassa@blakes.com">kelly.bourassa@blakes.com</a></p>
<p><b>EPCOR DISTRIBUTION AND TRANSMISSION INC.</b> 2000 – 10423 101 Street NW Edmonton, AB T5H 0E8</p>	<p><b>Teresa Crotty-Wong</b> Senior Legal Counsel and Ethics Officer Email: <a href="mailto:Tcrotty-wong@epcor.com">Tcrotty-wong@epcor.com</a></p> <p>Copy to:</p> <p><b>Legal department:</b> Email: <a href="mailto:legaldeptinqu@epcor.com">legaldeptinqu@epcor.com</a></p>

<p><b>TOWN OF FORT MACLEOD</b> P.O. Box 1420 Fort Macleod, AB T0L 0Z0</p> <p>Fax: 403.553.2426</p>	<p>Email: <a href="mailto:gloria@fortmacleod.com">gloria@fortmacleod.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:admin@fortmacleod.com">admin@fortmacleod.com</a></p>
<p><b>FORTIS ALBERTA INC.</b> 320 – 17th Avenue SW Calgary, AB T2S 2V1</p> <p>Fax: : 403.514.4001</p>	<p>Email: <a href="mailto:sharon.wong@fortisalberta.com">sharon.wong@fortisalberta.com</a></p>
<p><b>EQUS REA LTD.</b> 5803 – 42 Street Innisfail, AB T4G 1S8</p> <p>Fax: 403.227.1007</p>	<p>Email: <a href="mailto:cglazer@equs.ca">cglazer@equs.ca</a></p>
<p><b>LETHBRIDGE ELECTRIC UTILITY</b> City of Lethbridge / Infrastructure Services 910 4th Avenue South Lethbridge, AB T1J 0P6</p> <p>Fax: 403.320.4195</p>	<p><b>Brian Loewen</b> General Counsel - City of Lethbridge</p> <p>Tel: 403.320.3043 Email: <a href="mailto:brian.loewen@lethbridge.ca">brian.loewen@lethbridge.ca</a></p>
<p><b>CITY OF RED DEER</b> Red Deer Electric Light and Power 4914 48 Avenue Red Deer, AB T4N 3T3</p> <p><b>CITY OF RED DEER</b> Red Deer Electric Light and Power Bldg 300 7721 40 Avenue Red Deer, AB T4P 0K2</p> <p>Fax: 403.341.6806</p>	

<p><b>TOWN OF PONOKA</b> 5102 – 48th Avenue Ponoka, AB T4J 1P7</p> <p>Copy to:</p> <p><b>TOWN OF PONOKA</b> #200 5604 50 Street Ponoka, AB T4J 1G5</p>	<p>Email: <a href="mailto:utilities@ponoka.ca">utilities@ponoka.ca</a></p>
<p><b>MUNICIPALITY OF CROWSNEST PASS</b> Box 600 Blairmore, AB T0K 0E0</p>	<p>Email: <a href="mailto:utilities@crowsnestpass.com">utilities@crowsnestpass.com</a></p>
<p><b>SASKATCHEWAN FINANCIAL AND CONSUMER AFFAIRS AUTHORITY</b> Consumer Protection Division 500 – 1919 Saskatchewan Drive Regina, SK S4P 4H2</p>	<p>Email: <a href="mailto:fcaa@gov.sk.ca">fcaa@gov.sk.ca</a></p>
<p><b>SASKENERGY INCORPORATED</b> 1000 – 1777 Victoria Avenue Regina, SK S4P 4K5</p> <p>Fax: 306.565.3332</p>	
<p><b>PUBLIC UTILITIES BOARD</b> 400 – 330 Portage Ave Winnipeg, MB R3C 0C4</p> <p>Fax: 204.945.2643</p>	<p>Email: <a href="mailto:Rachel.McMillin@gov.mb.ca">Rachel.McMillin@gov.mb.ca</a></p> <p>Email: <a href="mailto:Kristen.Schubert@gov.mb.ca">Kristen.Schubert@gov.mb.ca</a></p> <p>Copy to: Email: <a href="mailto:publicutilities@gov.mb.ca">publicutilities@gov.mb.ca</a></p>
<p><b>MANITOBA HYDRO</b> 360 Portage Avenue Winnipeg, MB R3C 0G8</p>	<p>Email: <a href="mailto:dmartin@hydro.mb.ca">dmartin@hydro.mb.ca</a></p> <p>Email: <a href="mailto:BACzarnecki@hydro.mb.ca">BACzarnecki@hydro.mb.ca</a></p>



<p><b>CENTRA GAS MANITOBA INC.</b> 12th Floor – 360 Portage Avenue PO Box 815 Winnipeg, MB R3C 2P4</p> <p>Fax: 204.360.6127</p>	<p><b>Christine Foulkes</b> Manager, Gas Market Operations   Gas Supply Department Email: <a href="mailto:cdfoulkes@hydro.mb.ca">cdfoulkes@hydro.mb.ca</a></p> <p><b>Andrew Neil</b> Senior Credit Risk Officer Email: <a href="mailto:aneil@hydro.mb.ca">aneil@hydro.mb.ca</a></p>
<p><b>INDEPENDENT ELECTRICITY SYSTEM OPERATOR</b> 1600 – 120 Adelaide Street West Toronto, ON M5H 1T1</p> <p>Fax: 416.506.2843</p>	<p><b>Victor Buza</b> Email: <a href="mailto:victor.buza@ieso.ca">victor.buza@ieso.ca</a></p> <p><b>Michael Lyle, GC</b> Email: <a href="mailto:michael.lyle@ieso.ca">michael.lyle@ieso.ca</a></p>
<p><b>STIKEMAN ELLIOTT LLP</b> Barristers &amp; Solicitors 5300 Commerce Court West 199 Bay Street Toronto, Canada M5L 1B9</p> <p>Fax: 416.947.0866</p> <p>Counsel for the Independent Electricity System Operator</p>	<p><b>Maria Konyukhova</b> Tel: 416.869.5230 Email: <a href="mailto:mkonyukhova@stikeman.com">mkonyukhova@stikeman.com</a></p>
<p><b>ONTARIO ENERGY BOARD</b> 2300 Yonge Street, 27th floor P.O. Box 2319 Toronto, ON M4P 1E4</p> <p>Fax: 416.440.7656</p>	<p>Email: <a href="mailto:registrar@oeb.ca">registrar@oeb.ca</a></p>
<p><b>ALGOMA POWER INC.</b> 2 Sackville Road, Suite A Sault Ste. Marie, ON P6B 6J6</p> <p>Fax: 705.253.6476</p> <p>Copy to:</p> <p><b>ALGOMA POWER INC.</b> 1130 Bertie Street P.O. Box 1218 Fort Erie, ON L2A 5Y2</p>	<p>Email: <a href="mailto:peggy.lund@algomapower.com">peggy.lund@algomapower.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatoryaffairs@fortisontario.com">regulatoryaffairs@fortisontario.com</a></p>

<p><b>ATIKOKAN HYDRO INC.</b> 117 Gorrie Street Atikokan, ON P0T 1C0</p> <p>Fax: 807.597.6988</p> <p>Copy to:</p> <p><b>ATIKOKAN HYDRO INC.</b> P.O. Box 1480 Atikokan, ON P0T 1C0</p>	<p>Email: <a href="mailto:info@athydro.com">info@athydro.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:jen.wiens@athydro.com">jen.wiens@athydro.com</a></p>
<p><b>BLUEWATER POWER DISTRIBUTION CORPORATION</b> 855 Confederation Street Sarnia, ON N7T 7L6</p> <p>Fax: 519.344.7303</p>	<p>Email: <a href="mailto:kgadsby@bluewaterpower.com">kgadsby@bluewaterpower.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@bluewaterpower.com">regulatory@bluewaterpower.com</a></p>
<p><b>BRANT COUNTY POWER INC.</b> 65 Dundas Street East Paris, ON N3L 3H1</p> <p>Fax: 519.442.3701</p> <p>Copy to:</p> <p><b>ENERGY+ INC.</b> 1500 Bishop Street P.O. Box 1060 Cambridge, ON N1R 5X6</p>	<p>Email: <a href="mailto:regulatoryaffairs@energyplus.ca">regulatoryaffairs@energyplus.ca</a></p>
<p><b>BRANTFORD POWER INC.</b> 150 Savannah Oaks Drive Box 308 Brantford, ON N3T 5N8</p> <p>Fax: 519.753.6130</p>	<p>Email: <a href="mailto:regulatory@brantford.ca">regulatory@brantford.ca</a></p>

<p><b>BURLINGTON HYDRO INC.</b> 1340 Brant Street Burlington, ON L7R 3Z7</p> <p>Fax: 905.332.2133</p>	<p>Email: <a href="mailto:regulatoryaffairs@burlingtonhydro.com">regulatoryaffairs@burlingtonhydro.com</a></p> <p><b>Adam Pappas</b> Director, Regulatory Affairs Tel: (905) 332-2341 Email: <a href="mailto:apappas@burlingtonhydro.com">apappas@burlingtonhydro.com</a></p>
<p><b>CAMBRIDGE &amp; NORTH DUMFRIES HYDRO INC.</b> <b>C/O ENERGY+ INC.</b> 1500 Bishop Street P.O. Box 1060 Cambridge, ON N1R 5X6</p> <p>Fax: 519.621.0383</p>	<p>Email: <a href="mailto:regulatoryaffairs@energyplus.ca">regulatoryaffairs@energyplus.ca</a></p>
<p><b>CANADIAN NIAGARA POWER INC.</b> 1130 Bertie Street P.O. Box 1218 Fort Erie, ON L2A 5Y2</p> <p>Fax: 905.871.8818</p>	<p>Email: <a href="mailto:regulatoryaffairs@fortisontario.com">regulatoryaffairs@fortisontario.com</a></p>
<p><b>CENTRE WELLINGTON HYDRO LTD.</b> 730 Gartshore Street P.O. Box 217 Fergus, ON N1M 2W8</p> <p>Fax: 519.843.7601</p>	<p>Email: <a href="mailto:regulatory@cwhydro.ca">regulatory@cwhydro.ca</a></p>
<p><b>CHAPLEAU PUBLIC UTILITIES CORPORATION</b> 110 Lorne Street South Chapleau, ON P0M 1K0</p> <p>Fax: 705.864.1962</p>	<p>Email: <a href="mailto:chec@onlink.net">chec@onlink.net</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:jcyr.puc@chapleau.ca">jcyr.puc@chapleau.ca</a></p>
<p><b>COLLUS POWER CORP.</b> <b>C/O EPCOR ELECTRICITY DISTRIBUTION ONTARIO INC.</b> 43 Steward Road P.O. Box 189 Collingwood, ON L9Y 3Z5</p> <p>Fax: 705.445.8267</p>	<p>Email: <a href="mailto:onreg.electricity@epcor.com">onreg.electricity@epcor.com</a></p>

<p><b>COOPERATIVE HYDRO EMBRUN INC.</b> 821 Notre-Dame Street, Suite 200 Embrun, ON K0A 1W1</p> <p>Fax: 613.443.0495</p>	<p>Email: <a href="mailto:benoit@hydroembrun.ca">benoit@hydroembrun.ca</a></p>
<p><b>E.L.K. ENERGY INC.</b> 172 Forest Avenue Essex, ON N8M 3E4</p> <p>Fax: 519.776.5640</p>	
<p><b>ENERSOURCE HYDRO MISSISSAUGA INC.</b> 3240 Mavis Road Mississauga, ON L5C 3K1</p> <p>Fax: 905.566.2727</p> <p>Copy to:</p> <p><b>ALECTRA UTILITIES CORPORATION</b> 2185 Derry Road West Mississauga, ON L5N 7A6</p>	<p>Email: <a href="mailto:emuscat@enersource.com">emuscat@enersource.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatoryaffairs@alecrautilities.com">regulatoryaffairs@alecrautilities.com</a></p>
<p><b>ENTEGRUS POWERLINES INC.</b> 320 Queen Street PO Box 70 Chatham, ON N7M 5K2</p> <p>Fax: 519.351.4059</p>	<p>Email: <a href="mailto:Tracy.Manso@entegrus.com">Tracy.Manso@entegrus.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@entegrus.com">regulatory@entegrus.com</a></p>
<p><b>ENTEGRUS POWERLINES INC.</b> <b>[MIDDLESEX]</b> 351 Frances Street Strathroy, ON N7G 2L7</p> <p>Fax: 519.245.5384</p>	<p>Email: <a href="mailto:ana.couto@entegrus.com">ana.couto@entegrus.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@entegrus.com">regulatory@entegrus.com</a></p>

<p><b>ENWIN UTILITIES LTD.</b> 787 Oulette Avenue Windsor, ON N9A 5T7</p> <p>Fax: 519.973.7812</p> <p>Copy to:</p> <p><b>ENWIN UTILITIES LTD.</b> 4545 Rhodes Drive P.O. Box 1625, Station A Windsor, ON N8W 5T1</p>	<p>Email: <a href="mailto:retailerrelations@enwin.com">retailerrelations@enwin.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@enwin.com">regulatory@enwin.com</a></p>
<p><b>ERIE THAMES POWERLINES C/O EARTH POWER CORPORATION</b> 143 Bell Street P.O. Box 157 Ingersoll, ON N5C 3K5</p> <p>Fax: 519.485.5838</p>	<p>Email: <a href="mailto:oeb@eriethamespower.com">oeb@eriethamespower.com</a></p>
<p><b>ESPANOLA REGIONAL HYDRO DISTRIBUTION CORPORATION</b> 598 Second Avenue Espanola, ON P5E 1C4</p> <p>Fax: 705.869.2433</p> <p>Copy to:</p> <p><b>ESPANOLA REGIONAL HYDRO DISTRIBUTION CORPORATION</b> 500 Second Line East Sault Ste. Marie, ON P6B 4K1</p>	<p><b>Melissa Casson</b> Email: <a href="mailto:mcasson@northbayhydro.com">mcasson@northbayhydro.com</a></p> <p><b>Gloria Sauve</b> Email: <a href="mailto:GSauve@northbayhydro.com">GSauve@northbayhydro.com</a></p>
<p><b>ESSEX POWERLINES CORPORATION</b> 2730 Highway 3 Oldcastle, ON NOR 1L0</p> <p>Fax: 519.737.7064</p>	<p>Email: <a href="mailto:jbarile@essexpowerlines.ca">jbarile@essexpowerlines.ca</a></p>

<p><b>FESTIVAL HYDRO INC.</b> 187 Erie Street PO Box 397 Stratford, ON N5A 6T5</p> <p>Fax: 519.271.7204</p>	<p><b>Megan Winchester</b> Email: <a href="mailto:mwinchester@festivalhydro.com">mwinchester@festivalhydro.com</a></p> <p>Copy to:</p> <p><b>Jeff Graham (CEO)</b> Email: <a href="mailto:grahamj@festivalhydro.com">grahamj@festivalhydro.com</a></p>
<p><b>FORT FRANCES POWER CORPORATION</b> 320 Portage Avenue Fort Frances, ON P9A 3P9</p> <p>Fax: 807.274.9375</p>	<p>Email: <a href="mailto:info@ffpc.ca">info@ffpc.ca</a></p>
<p><b>GREATER SUDBURY HYDRO INC.</b> 500 Regent Street PO Box 250 Sudbury, ON P3E 4P1</p> <p>Fax: 705.671.1413</p>	<p>Email: <a href="mailto:jodiek@shec.com">jodiek@shec.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatoryaffairs@gsuinc.ca">regulatoryaffairs@gsuinc.ca</a></p>
<p><b>GRIMSBY POWER INC.</b> 231 Roberts Road Grimsby, ON L3M 5N2</p> <p>Fax: 905.945.9933</p>	<p>Email: <a href="mailto:regulatoryaffairs@grimsbypower.com">regulatoryaffairs@grimsbypower.com</a></p>
<p><b>GUELPH HYDRO ELECTRIC SYSTEMS INC.</b> 395 Southgate Drive Guelph, ON N1G 4Y1</p> <p>Fax: 519.822.0960</p> <p>Copy to:</p> <p><b>ALECTRA UTILITIES CORPORATION</b> 2185 Derry Road West Mississauga, ON L5N 7A6</p>	<p><b>Christina Koren</b> Email: <a href="mailto:christina.koren@alecrautilities.com">christina.koren@alecrautilities.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatoryaffairs@alecrautilities.com">regulatoryaffairs@alecrautilities.com</a></p>

<p><b>HALDIMAND COUNTY HYDRO INC.</b> 1 Greendale Drive Caledonia, ON N3W 2J3</p> <p>Fax: 905.765.8211</p> <p>Copy to:</p> <p><b>HYDRO ONE NETWORKS INC.</b> 483 Bay Street, South Tower, 7th Floor Toronto, ON M5G 2P5</p> <p>Fax: (416) 345-6972</p>	<p>Email: <a href="mailto:paul.harricks@hydroone.com">paul.harricks@hydroone.com</a></p>
<p><b>HALTON HILLS HYDRO INC.</b> 43 Alice Street Acton, ON L7J 2A9</p> <p>Fax: 519.853.5592</p>	<p><b>Tracy Rehberg-Rawlingson</b> Regulatory Affairs Officer Tel: 519.853.3700 x257</p> <p>Email: <a href="mailto:tracyr@haltonhillshydro.com">tracyr@haltonhillshydro.com</a></p>
<p><b>HEARST POWER DISTRIBUTION COMPANY LTD.</b> 925 rue Alexander Street P.O. Bag 5000 Hearst, ON P0L 1N0</p> <p>Fax: 705.362.5092</p>	<p>Email: <a href="mailto:jrichard@hearstpower.com">jrichard@hearstpower.com</a></p>
<p><b>HORIZON UTILITIES CORPORATION</b> 55 John Street North PO Box 2249, Stn LCD 1 Hamilton, ON L8N 3E4</p> <p>Fax: 905.522.5670</p> <p>Copy to:</p> <p><b>ALECTRA UTILITIES CORPORATION</b> 2185 Derry Road West Mississauga, ON L5N 7A6</p>	<p>Email: <a href="mailto:regulatoryaffairs@alecrautilities.com">regulatoryaffairs@alecrautilities.com</a></p>
<p><b>HYDRO 2000 INC.</b> 440 St. Philippe Street Alfred, ON K0B 1A0</p> <p>Fax: 613.679.0452</p>	<p>Email: <a href="mailto:lisewilkinson@hydro2000.ca">lisewilkinson@hydro2000.ca</a></p>

<p><b>HYDRO HAWKESBURY INC.</b> 850 Tupper Street Hawkesbury, ON K6A 3S7</p> <p>Fax: 613.632.8603</p>	<p>Email: <a href="mailto:service@hydrohawkesbury.ca">service@hydrohawkesbury.ca</a></p>
<p><b>HYDRO ONE NETWORKS INC.</b> 483 Bay Street, TCT14 Toronto, ON M5G 2P5</p> <p>Fax: 416.345.5957</p> <p>Copy to:</p> <p><b>HYDRO ONE NETWORKS INC.</b> 483 Bay Street, South Tower, 7th Floor Toronto, ON M5G 2P5</p>	<p>Email: <a href="mailto:regulatory@hydroone.com">regulatory@hydroone.com</a></p>
<p><b>HYDRO ONE BRAMPTON NETWORKS INC.</b> 175 Sandalwood Parkway West Brampton, ON L7A 1E8</p> <p>Fax: 905.840.1915</p> <p>Copy to:</p> <p><b>ALECTRA UTILITIES CORPORATION</b> 2185 Derry Road West Mississauga, ON L5N 7A6</p>	<p>Email: <a href="mailto:regulatoryaffairs@alectrautilities.com">regulatoryaffairs@alectrautilities.com</a></p>
<p><b>HYDRO OTTAWA LIMITED</b> 3025 Albion Road North Ottawa, ON K1G 3S4</p> <p>Fax: 613.738.5485</p> <p>Copy to:</p> <p><b>HYDRO OTTAWA LIMITED</b> 2711 Hunt Club Road P.O. Box 8700 Ottawa, ON K1G 3S4</p>	<p>Email: <a href="mailto:regulatoryaffairs@hydroottawa.com">regulatoryaffairs@hydroottawa.com</a></p>



<p><b>INNISFIL HYDRO DISTRIBUTION SYSTEMS LIMITED</b> 2073 Commerce Park Drive Innisfil, ON L9S 4A2</p> <p>Fax: 705.431.6872</p> <p>Copy to:</p> <p><b>INNPOWER CORPORATION</b> 7251 Yonge Street Innisfil, ON L9S 0J3</p>	<p>Email: <a href="mailto:regulatoryaffairs@innpower.ca">regulatoryaffairs@innpower.ca</a></p>
<p><b>KENORA HYDRO ELECTRIC CORPORATION LTD.</b> 215 Mellick Avenue Box 2680 Kenora, ON P9N 3X8</p> <p>Fax: 807.467.2068</p> <p>Copy to:</p> <p><b>SYNERGY NORTH CORPORATION</b> 34 Cumberland Street North Thunder Bay, ON P7A 4L4</p>	<p>Email: <a href="mailto:jrobertson@kenora.ca">jrobertson@kenora.ca</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@synergynorth.ca">regulatory@synergynorth.ca</a></p>
<p><b>KINGSTON HYDRO CORPORATION</b> 1211 John Counter Boulevard P.O. Box 790 Kingston, ON K7L 4X7</p>	<p>Email: <a href="mailto:rmurphy@utilitieskingston.com">rmurphy@utilitieskingston.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@kingstonhydro.com">regulatory@kingstonhydro.com</a></p>
<p><b>KITCHENER-WILMOT HYDRO INC.</b> 301 Victoria Street South P.O. Box 9010 Kitchener, ON N2G 4L2</p> <p>Fax: 519.745.3631</p>	<p>Email: <a href="mailto:jvanooteghem@kwhydro.ca">jvanooteghem@kwhydro.ca</a></p> <p><b>Margaret Nanninga</b> Vice-President Finance &amp; CFO Tel: 519.749.6177 Email: <a href="mailto:MNanninga@KWHydro.ca">MNanninga@KWHydro.ca</a></p>

<p><b>LAKEFRONT UTILITY SERVICES INC.</b> 207 Division Street PO Box 577 Cobourg, ON K9A 4L3</p> <p>Fax: 905.372.2581</p>	<p>Email: <a href="mailto:dpaul@lusi.on.ca">dpaul@lusi.on.ca</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@lusi.on.ca">regulatory@lusi.on.ca</a></p>
<p><b>LONDON HYDRO INC.</b> 111 Horton Street East P.O. Box 2700 London, ON N6B 3N9</p> <p>Fax: 519.661.5838</p>	<p>Email: <a href="mailto:regulatoryaffairs@londonhydro.com">regulatoryaffairs@londonhydro.com</a></p>
<p><b>MIDLAND POWER UTILITY CORPORATION</b> 16984 Highway 12 PO Box 820 Midland, ON L4R 4P4</p> <p>Fax: 705.526.7890</p> <p>Copy to:</p> <p><b>NEWMARKET-TAY POWER DISTRIBUTION LTD.</b> 590 Steven Court Newmarket, ON L3Y 6Z2</p>	<p>Email: <a href="mailto:chuma@midlandpuc.on.ca">chuma@midlandpuc.on.ca</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@nmhydro.ca">regulatory@nmhydro.ca</a></p>
<p><b>MILTON HYDRO DISTRIBUTION INC.</b> 8069 Lawson Road Milton, ON L9T 5C4</p> <p>Fax: 905.876.2044</p> <p>Copy to:</p> <p><b>MILTON HYDRO DISTRIBUTION INC.</b> 200 Chisholm Drive Milton, ON L9T 3G9</p>	<p>Email: <a href="mailto:igor.rusic@miltonhydro.com">igor.rusic@miltonhydro.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@miltonhydro.com">regulatory@miltonhydro.com</a></p>
<p><b>NEWMARKET HYDRO C/O NEWMARKET-TAY POWER DISTRIBUTION LTD.</b> 590 Steven Court Newmarket, ON L3Y 6Z2</p> <p>Fax: 905.895.8931</p>	<p>Email: <a href="mailto:regulatory@nmhydro.ca">regulatory@nmhydro.ca</a></p>

<p><b>NIAGARA ON THE LAKE HYDRO INC.</b> 8 Henegan Road P.O. Box 460 Virgil, ON L0S 1T0</p> <p>Fax: 905.468.3861</p>	<p>Email: <a href="mailto:tcurtis@notlhydro.com">tcurtis@notlhydro.com</a></p>
<p><b>NIAGARA PENINSULA ENERGY</b> 7447 Pin Oak Drive Box 120 Niagara Falls, ON L2E 6S9</p> <p>Fax: 905.356.0118</p>	<p>Email: <a href="mailto:Margaret.battista@npei.ca">Margaret.battista@npei.ca</a></p>
<p><b>NORFOLK POWER DISTRIBUTION INC.</b> 70 Victoria Street PO Box 588 Simcoe, ON N3Y 4N6</p> <p>Fax: 519.426.4514</p> <p>Copy to:</p> <p><b>HYDRO ONE NETWORKS INC.</b> 483 Bay Street, South Tower, 7th Floor Toronto, ON M5G 2P5</p>	<p>Email: <a href="mailto:regulatory@hydroone.com">regulatory@hydroone.com</a></p>
<p><b>NORTH BAY HYDRO DISTRIBUTION LIMITED</b> 74 Commerce Crescent P.O. Box 3240 North Bay, ON P1B 8Y5</p> <p>Fax: 705.474.8579</p>	<p>Email: <a href="mailto:gsauve@northbayhydro.com">gsauve@northbayhydro.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatoryaffairs@northbayhydro.com">regulatoryaffairs@northbayhydro.com</a></p>
<p><b>NORTHERN ONTARIO WIRES INC.</b> 153 Sixth Avenue Box 640 Cochrane, ON P0L 1C0</p> <p>Fax: 705.272.2311</p>	<p>Email: <a href="mailto:sandras@nowinc.ca">sandras@nowinc.ca</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatory@nowinc.ca">regulatory@nowinc.ca</a></p>

<p><b>OAKVILLE HYDRO-ELECTRIC DISTRIBUTION INCORPORATED</b> 861 Redwood Square P.O. Box 1900 Oakville, ON L6J 5E3  Fax: 905.825.4460</p>	<p><b>Maryanne Wilson</b> Email: <a href="mailto:mwilson@oakvillehydro.com">mwilson@oakvillehydro.com</a>  Copy to:  Email: <a href="mailto:regulatoryaffairs@oakvillehydro.com">regulatoryaffairs@oakvillehydro.com</a></p>
<p><b>ORANGEVILLE HYDRO LIMITED</b> 400 C Line Road Orangeville, ON L9W 2Z7  Fax: 519.941.6061</p>	<p>Email: <a href="mailto:regulatoryaffairs@orangevillehydro.on.ca">regulatoryaffairs@orangevillehydro.on.ca</a></p>
<p><b>ORILLIA POWER DISTRIBUTION CORPORATION</b> 360 West Street South PO Box 398 Orillia, ON L3V 6J9  Fax: 705.326.0800  Copy to:  <b>HYDRO ONE NETWORKS INC.</b> 483 Bay Street, South Tower, 7th Floor Toronto, ON M5G 2P5</p>	<p>Email: <a href="mailto:phurley@orilliapower.ca">phurley@orilliapower.ca</a>  Copy to:  Email: <a href="mailto:regulatory@hydroone.com">regulatory@hydroone.com</a></p>
<p><b>OSHAWA PUC NETWORKS INC.</b> 100 Simcoe Street South Oshawa, ON L1H 7M7  Fax: 905.723.7947</p>	<p><b>Susanna Beckstead</b> Vice President – Finance, Corporate and Business Services Tel: 905.743.5209 Email: <a href="mailto:sbeckstead@opuc.on.ca">sbeckstead@opuc.on.ca</a>  Copy to:  Email: <a href="mailto:regulatory.affairs@opuc.on.ca">regulatory.affairs@opuc.on.ca</a></p>
<p><b>OTTAWA RIVER POWER CORPORATION</b> 283 Pembroke Street West Pembroke, ON K8A 6Y6  Fax: 613.732.8199</p>	<p>Email: <a href="mailto:jallen@orpowercorp.com">jallen@orpowercorp.com</a></p>

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<p><b>POWERSTREAM INC.</b> 161 Cityview Boulevard Vaughn, ON L4H 0A9</p> <p>Fax: 905.532.4505</p> <p>Copy to:</p> <p><b>ALECTRA UTILITIES CORPORATION</b> 2185 Derry Road West Mississauga, ON L5N 7A6</p>	<p>Email: <a href="mailto:regulatoryaffairs@alecrautilities.com">regulatoryaffairs@alecrautilities.com</a></p>
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<p><b>RENFREW HYDRO INC.</b> 29 Bridge Street Renfrew, ON K7V 3R3</p> <p>Fax: 613.432.7463</p>	<p>Email: <a href="mailto:regulatory@renfrewhydro.com">regulatory@renfrewhydro.com</a></p>
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<p><b>SIoux LOOKOUT HYDRO INC.</b> 25 Fifth Avenue PO Box 908 Sioux Lookout, ON P8T 1B3</p> <p>Fax: 807.737.2832</p>	<p>Email: <a href="mailto:slhydro@tbaytel.net">slhydro@tbaytel.net</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:dkulchyski@siouxlookouthydro.com">dkulchyski@siouxlookouthydro.com</a></p>
<p><b>ST. THOMAS ENERGY INC.</b> 135 Edward Street St. Thomas, ON N5P 4A8</p> <p>Fax: 519.631.4771</p> <p>Copy to:</p> <p><b>ENTEGRUS POWERLINES INC.</b> 320 Queen Street P.O. Box 70 Chatham, ON N7M 5K2</p>	<p>Email: <a href="mailto:regulatory@entegrus.com">regulatory@entegrus.com</a></p>
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<p><b>TILLSONBURG HYDRO INC.</b> 200 Broadway Street Tillsonburg, ON N4G 5A7</p> <p>Fax: 519.842.9431</p> <p>Copy to:</p> <p><b>TILLSONBURG HYDRO INC.</b> 10 Lisgar Avenue Tillsonburg, ON N4G 5A5</p>	<p><b>Ravi Baichan</b> General Manager Email: <a href="mailto:rbaichan@tillsonburg.ca">rbaichan@tillsonburg.ca</a></p>

<p><b>TORONTO HYDRO-ELECTRIC SYSTEM LIMITED</b> 5800 Yonge Street, 2nd Floor Toronto, ON M2M 3T3</p> <p>Fax: 416.542.3445 / 416.542.3452</p> <p>Copy to:</p> <p><b>TORONTO HYDRO-ELECTRIC SYSTEM LIMITED</b> 14 Carlton Street Toronto, ON M5B 1K5</p>	<p>Email: <a href="mailto:epage@torontohydro.com">epage@torontohydro.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:regulatoryaffairs@torontohydro.com">regulatoryaffairs@torontohydro.com</a></p>
<p><b>VERIDIAN CONNECTIONS INC.</b> 1465 Pickering Parkway Pickering, ON L1V 7G7</p> <p>Fax: 905.837.7861</p> <p>Copy to:</p> <p><b>ELEXICON ENERGY INC.</b> 55 Taunton Road E. PO 59 Whitby, ON L1N 5R8</p>	<p><b>Lucy Lombardi</b> Email: <a href="mailto:llombardi@elexiconenergy.com">llombardi@elexiconenergy.com</a></p>
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<p><b>WATERLOO NORTH HYDRO INC.</b> 526 Country Squire Road P.O. Box 640 Waterloo, ON N2J 4A3</p> <p>Fax: 519.746.0133</p>	<p>Email: <a href="mailto:retinfo@wnhydro.com">retinfo@wnhydro.com</a></p>

<p><b>WELLAND HYDRO-ELECTRIC SYSTEM CORP.</b> 950 Main Street East P.O. Box 280 Welland, ON L3B 5P6  Fax: 905.732.0123</p>	<p><b>Perry Orosz</b> Director of Customer Service and Employee Relations Tel: 905.732.1381 ext. 241  Email: <a href="mailto:porosz@wellandhydro.com">porosz@wellandhydro.com</a>  INCORRECT EMAIL</p>
<p><b>WELLINGTON NORTH POWER INC.</b> 290 Queen Street West P.O. Box 359 Mount Forest, ON N0G 2L0  Fax: 519.323.2425</p>	<p>Email: <a href="mailto:rbucknall@wellingtonnorthpower.com">rbucknall@wellingtonnorthpower.com</a></p>
<p><b>WEST COAST HURON ENERGY INC.</b> 57 West Street Goderich, ON N7A 2K5  Fax: 519.524.7209  Copy to:  <b>ERTH POWER CORPORATION</b> 143 Bell Street P.O. Box 157 Ingersoll, ON N5C 3K5</p>	<p>Email: <a href="mailto:oeb@eriethamespower.com">oeb@eriethamespower.com</a></p>
<p><b>WESTARIO POWER INC.</b> 24 Eastridge Road RR#2 Walkerton, ON N0G 2V0  Fax: 519.507.6777</p>	<p><b>Malcolm McCallum</b> Vice President Finance/CFO Email: <a href="mailto:Malcolm.McCallum@westario.com">Malcolm.McCallum@westario.com</a></p>



<p><b>WHITBY HYDRO ELECTRIC CORPORATION</b> 100 Taunton Road East P.O. Box 59 Whitby, ON L1N 5R8</p> <p>Fax: 905.668.9379</p> <p>Copy to:</p> <p><b>ELEXICON ENERGY INC.</b> 55 Taunton Road E. PO 59 Whitby, ON L1N 5R8</p>	<p>Email: <a href="mailto:sreffle@whitbyhydro.on.ca">sreffle@whitbyhydro.on.ca</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:llombardi@elexiconenergy.com">llombardi@elexiconenergy.com</a></p>
<p><b>WOODSTOCK HYDRO SERVICES INC.</b> P.O. Box 1598 Woodstock, ON N4S 0A8</p> <p>Fax: 519.537.5081</p> <p>Copy to:</p> <p><b>HYDRO ONE NETWORKS INC.</b> 483 Bay Street, South Tower, 7th Floor Toronto, ON M5G 2P5</p>	<p>Email: <a href="mailto:regulatory@hydroone.com">regulatory@hydroone.com</a></p>
<p><b>CORPORATION OF THE CITY OF KITCHENER</b> City Hall, Utilities Division, 5th Floor 200 King Street West Kitchener, ON N2G 4G7</p>	<p>Email: <a href="mailto:KU-sups@kitchener.ca">KU-sups@kitchener.ca</a></p>
<p><b>UTILITIES KINGSTON</b> PO Box 790 1211 John Counter Boulevard Kingston, ON K7L 4X7</p>	<p>Email: <a href="mailto:ntaylor@utilitieskingston.com">ntaylor@utilitieskingston.com</a></p>
<p><b>GAZ METRO LIMITED PARTNERSHIP C/O ENERGIR</b> 1717 du Havre Street Montreal, QC H2K 2X3</p> <p>Fax: 514.598.3678</p>	<p>Email: <a href="mailto:info@energir.com">info@energir.com</a></p>

<p><b>TRAVELERS</b> Travelers Bond &amp; Specialty Insurance 215 Shuman Blvd Naperville, IL 60563</p>	<p><b>MJ Robinson</b> Email: <a href="mailto:mrobin20@travelers.com">mrobin20@travelers.com</a></p>
<p><b>ZURICH SURETY</b> 600 Red Brook Blvd. Fourth Floor, Suite 600 Owings Mills, MD 21117</p>	<p>Email: <a href="mailto:Howard.uniman@zurichna.com">Howard.uniman@zurichna.com</a></p>
<p><b>SISKINDS LLP</b> 680 Waterloo Street London, ON N6A 3V8</p> <p>Fax: 519.672.6065</p> <p><b>SISKINDS LLP</b> 100 Lombard Street, Suite 302 Toronto, ON M5C 1M3</p> <p>Fax: 416.594.4589</p> <p>Counsel to the Plaintiff, Stephen Gilchrist (in proposed securities class proceeding in SCJ at Toronto, File No. CV-19-627174-00CP)</p>	<p><b>Michael G. Robb</b> Tel: 519.672.2121 Email: <a href="mailto:michael.robb@siskinds.com">michael.robb@siskinds.com</a></p> <p><b>Tyler Planeta</b> Tel: 416.594.4588 Email: <a href="mailto:tyler.planeta@siskinds.com">tyler.planeta@siskinds.com</a></p>
<p><b>KIM SPENCER McPHEE BARRISTERS P.C.</b> 1200 Bay Street, Suite 1203 Toronto, ON M5R 2A5</p> <p>Fax: 416.598.0601</p> <p>Counsel to the Plaintiff, Stephen Gilchrist (in proposed securities class proceeding in SCJ at Toronto, File No. CV-19-627174-00CP)</p>	<p><b>Albert Pelletier</b> Tel: 416.596.1414 Email: <a href="mailto:apelletier@investorcomplexlaw.com">apelletier@investorcomplexlaw.com</a></p> <p><b>Charlotte K.B. Harman</b> Tel: 416.596.1414 Email: <a href="mailto:ckbh@investorcomplexlaw.com">ckbh@investorcomplexlaw.com</a></p>

<p><b>MICHIGAN PUBLIC SERVICE COMMISSION</b> 7109 W. Saginaw Highway Lansing, MI 48917</p>	<p><b>Stephanie Haney</b> Resource Adequacy and Retail Choice Section Energy Resources Division</p> <p>Tel: 517.284.8267 Email: <a href="mailto:HaneyS1@michigan.gov">HaneyS1@michigan.gov</a></p>
<p><b>SHIPMAN &amp; GOODWIN LLP</b> One Constitution Plaza Hartford, Connecticut 06103 USA</p> <p>Fax: 860.251.5218</p> <p><b>SHIPMAN &amp; GOODWIN LLP</b> 300 Atlantic Street, 3rd Floor Stamford, Connecticut 06901 USA</p> <p>Fax: 203.324.8199</p> <p>U.S. Counsel to ISO New England Inc.</p>	<p><b>Eric Goldstein</b> Tel: 860.251.5059 Email: <a href="mailto:EGoldstein@goodwin.com">EGoldstein@goodwin.com</a></p> <p>Copy to: Email: <a href="mailto:bankruptcy@goodwin.com">bankruptcy@goodwin.com</a></p> <p><b>Jessica M. Signor</b> Tel: 203.324.8138 Email: <a href="mailto:JSignor@goodwin.com">JSignor@goodwin.com</a></p>
<p><b>BENNETT JONES LLP</b> 3400 One First Canadian Place P.O. Box 130 Toronto, Ontario M5X 1A4</p> <p>Fax: 416.863.1716</p> <p>Counsel to Red Ventures, LLC</p>	<p><b>Aiden Nelms</b> Tel: 416.777.4642 Email: <a href="mailto:nelmsa@bennettjones.com">nelmsa@bennettjones.com</a></p>

<p><b>LONGVIEW COMMUNICATIONS AND PUBLIC AFFAIRS</b> Suite 2200 – 161 Bay Street PO Box 231 Toronto ON Canada M5J 2S1</p> <p>Communications Advisor</p>	<p><b>Joel Shaffer Partner</b> Tel: 416.649.8006 Email: <a href="mailto:jshaffer@longviewcomms.ca">jshaffer@longviewcomms.ca</a></p> <p><b>Boyd Eрман</b> Email: <a href="mailto:berman@longviewcomms.ca">berman@longviewcomms.ca</a></p> <p><b>Peter Block</b> Email: <a href="mailto:pblock@longviewcomms.ca">pblock@longviewcomms.ca</a></p>
<p><b>KOSKIE MINSKY LLP</b> 20 Queen Street West, Suite 900, Box 52 Toronto, ON M5H 3R3</p> <p>Fax: 416.204.2894</p> <p>Counsel for Haidar Omarali in his capacity as Representative Plaintiff in <i>Omarali v. Just Energy</i></p>	<p><b>David Rosenfeld</b> Tel: 416.595.2700 Email: <a href="mailto:drosenfeld@kmlaw.ca">drosenfeld@kmlaw.ca</a></p> <p><b>James Harnum</b> Tel: 416.542.6285 Email: <a href="mailto:jharnum@kmlaw.ca">jharnum@kmlaw.ca</a></p> <p><b>Aryan Ziaie</b> Tel: 416.595.2104 Email: <a href="mailto:aziaie@kmlaw.ca">aziaie@kmlaw.ca</a></p>
<p><b>GOWLING WLG (CANADA) LLP</b> Barristers &amp; Solicitors 1 First Canadian Place 100 King Street West, Suite 1600 Toronto, ON M5X 1G5</p> <p>Fax: 416.862.7661</p> <p>Counsel for NextEra Energy Marketing, LLC</p>	<p><b>Virginie Gauthier</b> Tel: 416.844.5391 Email: <a href="mailto:Virginie.Gauthier@gowlingwlg.com">Virginie.Gauthier@gowlingwlg.com</a></p>
<p><b>WEISZ FELL KOUR LLP</b> 100 King Street West, Suite 5600 Toronto, ON M5X 1C9</p> <p>Fax: 416.613.8290</p> <p>Counsel for the Ontario Energy Board</p>	<p><b>Pat Corney</b> Tel: 416.613.8287 Email: <a href="mailto:pcorney@wfkaw.ca">pcorney@wfkaw.ca</a></p> <p><b>Steven Weisz</b> Tel: 416.613.8281 Email: <a href="mailto:sweisz@wfkaw.ca">sweisz@wfkaw.ca</a></p>

<p><b>JENSEN SHAWA SOLOMON DUGUID HAWKES LLP</b> 800, 304-8 Avenue SW Calgary, Alberta T2P 1C2</p> <p>Fax: 403.571.1528</p> <p>Counsel for Alberta Electric System Operator</p>	<p><b>Christa Nicholson</b> Tel: 403.571.1053 Email: <a href="mailto:nicholsonc@jssbarristers.ca">nicholsonc@jssbarristers.ca</a></p>
<p><b>BLANEY McMURTRY LLP</b> Barristers and Solicitors Suite 1500 - 2 Queen Street East Toronto, ON M5C 3G5</p> <p>Counsel for PJM Interconnection, L.L.C. and PJM Settlement, Inc.</p>	<p><b>Mervyn D. Abramowitz</b> Tel: 416.5974887 Email: <a href="mailto:mabramowitz@blaney.com">mabramowitz@blaney.com</a></p> <p><b>Eric Golden</b> Tel: 416.593.3927 Email: <a href="mailto:egolden@blaney.com">egolden@blaney.com</a></p>
<p><b>SCHNADER HARRISON SEGAL &amp; LEWIS LLP</b> 1600 Market Street, Suite 3600 Philadelphia, PA 19103-7286 U.S.A.</p> <p>U.S. counsel for PJM Interconnection, L.L.C. and PJM Settlement, Inc.</p>	<p><b>Nicholas J. LePore, III</b> Tel: 215.751.2286 Email: <a href="mailto:nlepore@schnader.com">nlepore@schnader.com</a></p> <p><b>Richard A. Barkasy</b> Tel: 215.751.2526 Email: <a href="mailto:rbarkasy@schnader.com">rbarkasy@schnader.com</a></p>
<p><b>GOODMANS LLP</b> Bay Adelaide Centre 333 Bay Street, Suite 3400 Toronto, ON M5H 2S7</p> <p>Counsel for ICE NGX Canada Inc.</p>	<p><b>Brian F. Empey</b> Tel: 416.597.4194 Email: <a href="mailto:bempey@goodmans.ca">bempey@goodmans.ca</a></p>

<p><b>PUBLIC UTILITIES COMMISSION OF NEVADA</b> 1150 East William Street Carson City, NV 89701 U.S.A.</p>	<p><b>David Noble</b> Assistant Staff Counsel Tel: 775.684.6194 Email: <a href="mailto:davidnoble@puc.nv.gov">davidnoble@puc.nv.gov</a></p> <p><b>Don Lomoljo</b> Staff Counsel Email: <a href="mailto:dlomoljo@puc.nv.gov">dlomoljo@puc.nv.gov</a></p>
<p><b>LIPMAN, ZENER &amp; WAXMAN PC</b> 100 Sheppard Avenue East, Suite 850 Toronto, ON M2N 6N5</p> <p>Fax: 416.789-9015</p> <p>Lawyers for the Creditor, Jordan Hutchinson</p>	<p><b>Anthony J. O'Brien</b> Tel: 416.789.0656 Email: <a href="mailto:tobrien@lzwlaw.com">tobrien@lzwlaw.com</a></p>
<p><b>ENERGY BANK INCORPORATED</b> 4466 Custer Street Manitowoc, Wisconsin 54220</p> <p>Fax: 920.682.6228</p>	<p><b>Becky Verfuert</b> Manager-operations Tel: 920.682.6220 Email: <a href="mailto:bm@energybankinc.com">bm@energybankinc.com</a></p>
<p><b>ELEVATION ENERGY GROUP</b> 2305 E. Cesar Chavez Austin, Texas 78702</p> <p>Fax: 866.593.9771</p>	<p><b>Ben Huff</b> Tel: 317.333.7281 Email: <a href="mailto:ben.huff@elevationeg.com">ben.huff@elevationeg.com</a></p>

<p><b>EMPIRE AR MANAGEMENT INC.</b> 365 Evans Ave, Suite#L5 Toronto, ON M8Z 1K2</p> <p>Fax: 416.734.0006</p>	<p><b>Michael Biasiucci</b> President Tel: 416.303.2663 Email: <a href="mailto:michael.b@empirearmi.com">michael.b@empirearmi.com</a></p>
<p><b>AMERICAN CAPITAL RECOVERY LLC</b> 5220 Spring Valley Road Suite 408 Dallas, TX 75254</p> <p>Fax: 972.661.2504</p>	<p><b>Paul Fagan</b> Email: <a href="mailto:paul.fagan@amcapr.com">paul.fagan@amcapr.com</a></p>
<p><b>LECKER &amp; ASSOCIATES</b> Hullmark Corporate Centre 4789 Yonge St., Suite 514 Toronto, ON M2N 0G3</p> <p>Fax: 416.223.9492</p> <p>Counsel for John Roche and Hampstead Company</p>	<p><b>Ian D. Hurley</b> Tel: 416.223.5391, ext. 325 E-mail: <a href="mailto:ihurley@leckerslaw.com">ihurley@leckerslaw.com</a></p> <p><b>Tina Yaghoubi</b> Email: <a href="mailto:tina@leckerslaw.com">tina@leckerslaw.com</a></p>
<p><b>CDW CANADA</b> 1700-185 The West Mall Etobicoke, ON M9C 5L5</p>	<p><b>Maribeth Halls</b> Accounts Receivable Manager Email: <a href="mailto:Maribeth.Halls@cdw.ca">Maribeth.Halls@cdw.ca</a></p>

<p><b>ATTORNEY GENERAL OF CANADA DEPARTMENT OF JUSTICE</b> Ontario Regional Office, Tax Law Section 120 Adelaide Street West, Suite 400 Toronto, Ontario M5H 1T1</p> <p>Fax: 416.973.0810</p> <p>Attorney General of Canada on behalf of Her Majesty the Queen in Right of Canada as represented by the Minister of National Revenue</p>	<p><b>Diane Winters</b> General Counsel Email: <a href="mailto:diane.winters@justice.gc.ca">diane.winters@justice.gc.ca</a></p>
<p><b>HER MAJESTY IN RIGHT OF ONTARIO REPRESENTED BY THE MINISTER OF FINANCE - INSOLVENCY UNIT</b> Ontario Ministry of Finance – Legal Services Branch 11-777 Bay Street Toronto, ON M5G 2C8</p> <p>Fax: 416.325.1460</p>	<p><b>Leslie Crawford</b> Email: <a href="mailto:leslie.crawford@ontario.ca">leslie.crawford@ontario.ca</a></p> <p>Copy to: Email: <a href="mailto:insolvency.unit@ontario.ca">insolvency.unit@ontario.ca</a></p>
<p><b>CANADA REVENUE AGENCY</b> 1 Front Street West Toronto, ON M5J 2X6</p> <p>Fax: 416.964.6411</p>	<p><b>Pat Confalone</b> Tel: 416.954.6514 Email: <a href="mailto:pat.confalone@cra-arc.gc.ca">pat.confalone@cra-arc.gc.ca</a></p>
<p><b>MINISTRY OF FINANCE (ALBERTA)</b> The Tax and Revenue Administration 9811 – 109 Street Edmonton, AB T5K 2L5</p>	<p><b>Travis Toews</b> <b>Minister</b> Tel: 780.427.2711 Email: <a href="mailto:tbf.minister@gov.ab.ca">tbf.minister@gov.ab.ca</a></p> <p><b>Grant Hunter</b> <b>Associate Minister</b> Tel: 780 427-0240 Email: <a href="mailto:associateminister-rtr@gov.ab.ca">associateminister-rtr@gov.ab.ca</a></p>



<p><b>LOGIX COMMUNICATIONS</b> <b>LOGIX FIBER NETWORKS</b> 2950 North Loop West Houston, TX 77092 Tel: 800.999.8105</p>	<p><b>Emails:</b> <a href="mailto:Monique.Sampson@Logix.com">Monique.Sampson@Logix.com</a> <a href="mailto:Credit@Logix.com">Credit@Logix.com</a> <a href="mailto:tonie.bloomingberg@logix.com">tonie.bloomingberg@logix.com</a></p>
<p><b>CHAITONS LLP</b> 5000 Yonge Street, 10th Floor Toronto, ON M2N 7E9</p> <p>Counsel for Elevation Energy Group, LLC</p>	<p><b>Harvey Chaiton</b> Tel: 416.218.1129 Email: <a href="mailto:harvey@chaitons.com">harvey@chaitons.com</a></p>
<p><b>CBTS TECHNOLOGY SOLUTIONS LLC</b> 221 East Fourth Street Cincinnati, OH 45202</p>	<p><b>Don Verdon</b> Director - Compliance Tel: 513.484.6775 Email: <a href="mailto:Don.Verdon@cbts.com">Don.Verdon@cbts.com</a></p>

<p><b>COMPUTERSHARE TRUST COMPANY OF CANADA</b> 100 University Avenue, 11th Floor Toronto, ON M5J 2Y1</p> <p>Fax: 416.981.9777</p> <p>Indenture Trustee under a Trust Indenture dated September 28, 2020</p> <p><b>COMPUTERSHARE TRUST COMPANY OF CANADA</b> 1500 Robert-Bourassa Boulevard, 7th Floor Montreal, Quebec H3A 3S8</p> <p>Fax: 514.982.7677</p>	<p><b>Yana Nedyalkova, J.D.</b> Corporate Trust Officer, Corporate Trust Tel: 416.263.9559 Email: <a href="mailto:Yana.Nedyalkova@computershare.com">Yana.Nedyalkova@computershare.com</a></p> <p><b>John Poolman</b> Counsel Email: <a href="mailto:John.Poolman@computershare.com">John.Poolman@computershare.com</a></p> <p><b>Jonathan Champoux Cadoche</b> Corporate Trust Officer, Corporate Trust Services Tel: 514.982.7632</p> <p>Email: <a href="mailto:Jonathan.ChampouxCadoche@computershare.com">Jonathan.ChampouxCadoche@computershare.com</a></p>
<p><b>MILLER THOMSON LLP</b> Pacific Centre, 400 – 725 Granville Street Vancouver, BC V7Y 1G5</p> <p>Fax: (604) 643-1200</p> <p>Scotia Plaza 40 King Street West, Suite 5800 P.O. Box 1011 Toronto, ON M5H 3S1</p> <p>Fax: (416) 595-8695</p> <p>Counsel for Computershare Trust Company as Indenture Trustee</p>	<p><b>Mike Weinczok</b> Tel: (604) 628-3684 Tel: (416) 595-8530 (DL – Toronto) Email: <a href="mailto:mweinczok@millerthomson.com">mweinczok@millerthomson.com</a></p>
<p><b>WILD GOOSE STORAGE LLC</b> 400 - 607 8th Ave SW Calgary, AB T2P 0A7</p>	<p><b>James Bartlett</b> Legal Counsel Tel: 403.513.8680 Email: <a href="mailto:james.bartlett@rockpointgs.com">james.bartlett@rockpointgs.com</a></p>

<p><b>ENERGY OPTIMIZATION SERVICES LTD.</b> c/o Strategic Group Suite 400, Strategic Centre 630 - 8 Ave SW Calgary AB T2P 1G6</p> <p>Tel. (main): 403.770.2300 Fax: 403.770.2289</p>	<p><b>Beamer Comfort</b> General Counsel Tel: 587.747.0360 Email: <a href="mailto:bcomfort@strategicgroup.ca">bcomfort@strategicgroup.ca</a></p> <p><b>Jayne Gradishar</b> Litigation Paralegal Tel: 403.770.2294 Email: <a href="mailto:jgradishar@strategicgroup.ca">jgradishar@strategicgroup.ca</a></p>
<p><b>LANIER PARKING SOLUTIONS</b> <b>c/o Lincoln Property Company</b> 5333 Westheimer Rd., Suite 850 Houston, TX 77056</p> <p>Tel: 713.960.1713</p>	<p><b>Lillie L. Norton</b> Sr. Property Manager Tel. 713.766.7487 Email. <a href="mailto:lnorton@lpc.com">lnorton@lpc.com</a></p> <p><b>Brooke Caravela</b> Assistant Property Manager Email: <a href="mailto:bcaravela@LPC.com">bcaravela@LPC.com</a></p>
<p><b>FOGLER, RUBINOFF LLP</b> 77 King Street West Suite 3000, P.O. Box 95 TD Centre North Tower Toronto, ON M5K 1G8</p> <p>Tel (main): 416.864.9700 Fax: 416.941.8852</p> <p>Counsel for Binnj Inc.</p>	<p><b>Robert B. Macdonald</b> Tel: 647.729.0754 Email: <a href="mailto:rmacdonald@foglers.com">rmacdonald@foglers.com</a></p>
<p><b>DICKINSON WRIGHT LLP</b> Barristers &amp; Solicitors 199 Bay Street Suite 2200, P.O. Box 447 Commerce Court Postal Station Toronto, ON M5L 1G4</p> <p>Counsel for Sitel Operating Corporation</p>	<p><b>John D. Leslie</b> Tel: 416.646.4603 Email: <a href="mailto:jleslie@dickinsonwright.com">jleslie@dickinsonwright.com</a></p> <p><b>Lisa S. Corne</b> Tel: 416.646-4608 Email: <a href="mailto:lcorne@dickinsonwright.com">lcorne@dickinsonwright.com</a></p>

<p><b>BORDEN LADNER GERVAIS LLP</b> 1000 de la Gauchetière West, Suite 900 Montréal, QC H3B 5H4</p> <p>Counsel for Bell Canada</p>	<p><b>NO LONGER AT BLG:</b></p> <p><b>Gabrielle Tremblay</b> Tel: 514.954.2560 Email: <a href="mailto:gtremblay@blg.com">gtremblay@blg.com</a></p> <p><b>BOUNCE BACK SAYS CONTACT:</b></p> <p><a href="mailto:NAngers@blg.com">NAngers@blg.com</a></p>
<p><b>CAMELINO GALESSIERE LLP</b> Barristers &amp; Solicitors 6 Adelaide St. E., Suite 220 Toronto, Ontario, M5C 1H6</p> <p>Fax: (416) 306-3820</p> <p>Counsel for Brookfield Properties (PI) Inc.</p>	<p><b>Linda Galessiere</b> Tel: (416) 306-3827 Email: <a href="mailto:lgalessiere@clegal.ca">lgalessiere@clegal.ca</a></p> <p><b>Jessica Wuthmann</b> Tel: (416) 306-3827 Email: <a href="mailto:jwuthmann@clegal.ca">jwuthmann@clegal.ca</a></p>
<p><b>MINDEN GROSS LLP</b> 2200 - 145 King Street West Toronto, ON M5H 4G2</p> <p>Fax: (416) 864-9223</p> <p>Counsel for Hoop Realty Inc. and Landlord of 80 Courtney Park Drive, Mississauga, Ontario</p>	<p><b>Timothy R. Dunn</b> Tel: (416) 369-4335 Email: <a href="mailto:tdunn@mindengross.com">tdunn@mindengross.com</a></p> <p><b>Stephen Skorbinski</b> Tel: (416) 369-4286 Email: <a href="mailto:sskorbinski@mindengross.com">sskorbinski@mindengross.com</a></p>
<p><b>SILVERCREEK MANAGEMENT INC.</b> 1670 Bayview Avenue, Suite 308 Toronto, ON M4G 3C2</p> <p>Fax: (416) 485-0640</p>	<p><b>Louise Morwick, <i>President</i></b> Tel: (416) 485-7797 Email: <a href="mailto:lmorwick@silvercreekmanagement.com">lmorwick@silvercreekmanagement.com</a></p> <p><b>Bryn Joynt, <i>Vice President</i></b> Email: <a href="mailto:bjoynt@silvercreekmanagement.com">bjoynt@silvercreekmanagement.com</a></p>

<p><b>DLA PIPER (CANADA) LLP</b> Suite 2800, Park Place 666 Burrard St. Vancouver, BC V6C 2Z7</p> <p>Fax: (604) 605-4875</p> <p>Counsel for FortisBC Energy Inc.</p>	<p><b>Colin D. Brousson</b> Tel: (604) 643-6400 Email: <a href="mailto:colin.brousson@dlapiper.com">colin.brousson@dlapiper.com</a></p> <p><b>Alexandra McCawley</b> Tel: (604) 643-2957 Email: <a href="mailto:alexandra.mccawley@dlapiper.com">alexandra.mccawley@dlapiper.com</a></p>
<p><b>WeirFoulds LLP</b> 4100 - 66 Wellington St. W. PO Box 35, TD Bank Tower Toronto, ON M5K 1B7</p> <p>Fax: (416) 365-1876</p> <p>Counsel for Microsoft</p>	<p><b>Philip Cho</b> Tel: (416) 619-6296 Email: <a href="mailto:pcho@weirfoulds.com">pcho@weirfoulds.com</a></p> <p><b>Macdonald Allen</b> Tel: (416) 947-5027 Email: <a href="mailto:mallen@weirfoulds.com">mallen@weirfoulds.com</a></p>
<p><b>CRABTREE LAW</b> 1018-650 West Georgia Street Vancouver, BC V6B 4N8</p> <p>Counsel for Amazon Web Services, Inc.</p>	<p><b>Andrew Crabtree</b> Tel: (778) 242-6797 Email: <a href="mailto:andrew@crabtreelaw.ca">andrew@crabtreelaw.ca</a></p>
<p><b>NIXON PEABODY LLP</b> 70 W. Madison Street Suite 3500 Chicago, IL 60602-4224</p> <p>Fax: 1 (844) 566-1442</p> <p>Counsel for TR Galleria Place Corp. (landlord)</p>	<p><b>R. Scott Alsterda</b> Tel: (312) 977-9203 Email: <a href="mailto:rsalsterda@nixonpeabody.com">rsalsterda@nixonpeabody.com</a></p>

<p><b>STREUSAND, LANDON, OZBURN &amp; LEMMON, LLP</b> 1801 S. MoPac Expressway Suite 320 Austin, TX 78746</p> <p>Fax: (512) 236-9904</p> <p>Counsel for Dell Financial Services LLC</p>	<p><b>Sabrina L. Streusand</b> Tel: (512) 236-9901 Email: <a href="mailto:streusand@slollp.com">streusand@slollp.com</a></p>
<p>Mr. Jordan Steiner (on behalf of shareholders) LionGuard Capital Management 1010 rue Sherbrooke Ouest, Bureau 2350 Montréal, QC H3A 2R7</p>	<p><b>c/o Jordan Steiner, CFA</b> Portfolio Manager Email: <a href="mailto:jsteiner@lionguardcapital.com">jsteiner@lionguardcapital.com</a></p>
<p><b>ALVAREZ &amp; MARSAL DSIPUTES AND INVESTIGATIONS, LLC</b> 700 Louisiana St, Suite 3300 Houston, TX 77002</p> <p><b>ALVAREZ &amp; MARSAL</b> 600 Madison Ave, 8th Floor New York, NY 10022</p>	<p><b>Ben Edmiston, CPA, CFE</b> Senior Director Tel: 1 (713) 547-3696 Email: <a href="mailto:bedmiston@alvarezandmarsal.com">bedmiston@alvarezandmarsal.com</a></p> <p><b>Scott R. Coleman</b> General Counsel - Operating Companies Email: <a href="mailto:scoleman@alvarezandmarsal.com">scoleman@alvarezandmarsal.com</a></p>
<p><b>OFFICE OF THE WEST VIRGINIA ATTORNEY GENERAL</b> State Capital Complex Building 1, Room W-435 Charleston, WV 25305</p>	<p><b>Elizabeth Baker</b> Assistant Attorney General Tel: 1 (304) 558-2522 Email: <a href="mailto:beth.baker@wvago.gov">beth.baker@wvago.gov</a></p>

<p><b>BLAKE, CASSELS &amp; GRAYDON LLP</b> Barristers and Solicitors 199 Bay Street Suite 4000, Commerce Court West Toronto, ON M5L 1A9</p> <p>Fax: (416) 863-2653</p> <p>Counsel for WNS North America Inc.</p>	<p><b>Chris Burr</b> Tel: (416) 863-3261 Email: <a href="mailto:chris.burr@blakes.com">chris.burr@blakes.com</a></p>
<p><b>KELLEY DRYE &amp; WARREN LLP</b> 3 World Trade Centre 175 Greenwich Street New York, NY 10007</p> <p>Counsel for WNS North America Inc.</p>	<p><b>Eloy Peral</b> Tel: 1 (212) 808-7945 Email: <a href="mailto:eperal@kelleydrye.com">eperal@kelleydrye.com</a></p>
<p><b>GOWLING WLG (Canada) LLP</b> One Main Street West Hamilton, ON L8P 4Z5</p> <p>Fax: (905) 528-5833</p> <p>Counsel for EXL Services Holdings, Inc.</p>	<p><b>Emma Dalziel</b> Tel: (905) 540-2477 Email: <a href="mailto:emma.dalziel@gowlingwlg.com">emma.dalziel@gowlingwlg.com</a></p>
<p><b>BENNETT JONES LLP</b> One First Canadian Place Suite 3400, P.O. Box 130 Toronto, ON M5X 1A4</p> <p>Fax: (416) 863-1716</p> <p>Special Litigation Counsel to Shell Energy North America (US), L.P.</p>	<p><b>Kevin Zych</b> Email: <a href="mailto:zychk@bennettjones.com">zychk@bennettjones.com</a></p> <p><b>Richard Swan</b> Email: <a href="mailto:swanr@bennettjones.com">swanr@bennettjones.com</a></p> <p><b>Preet Bell</b> Email: <a href="mailto:bellp@bennettjones.com">bellp@bennettjones.com</a></p> <p><b>Joshua Foster</b> Email: <a href="mailto:fosterj@bennettjones.com">fosterj@bennettjones.com</a></p> <p>Tel: (416) 863-1200</p>

<p><b>METZ LEWIS BRODMAN MUST O'KEEFE LLC</b> 535 Smithfield St., Suite 800 Pittsburgh, PA 15222 U.S.A.</p> <p>Fax: 1 (412) 918-1199</p> <p>Counsel for National Fuel Gas Distribution Corp. and various affiliates thereof</p> <p>Copy to:</p> <p><b>NATIONAL FUEL GAS DISTRIBUTION CORPORATION</b> 6363 Main Street Williamsville, NY 14221 U.S.A.</p> <p>Fax: 1 (716) 857-7206</p>	<p><b>John R. O'Keefe, Jr.</b> Tel: 1 (412) 918-1133 Email: <a href="mailto:jokeefe@metzlewis.com">jokeefe@metzlewis.com</a></p> <p><b>Nicholas A. Didomenico</b> Tel: 1(412)918-1155 Email: <a href="mailto:ndidomenico@metzlewis.com">ndidomenico@metzlewis.com</a></p>
<p><b>RATELLE</b> 481, rue de Lanaudière Joliette, QC J6E 3M3</p> <p>Fax: (450) 755-2170</p> <p>Counsel to Asphalte Générale Inc.</p>	<p><b>Thomas Roussy</b> Tel: (450) 759-5151 Email: <a href="mailto:thomas.roussy@avocatsratelle.com">thomas.roussy@avocatsratelle.com</a></p>
<p><b>KANE RUSSELL COLEMAN LOGAN PC</b> 901 Main Street, Suite 5200 Dallas, Texas 75202</p> <p>Fax: (214) 777-4299</p> <p>Counsel to Pariveda Solutions Inc.</p>	<p><b>S. Kyle Woodard</b> Tel: (214) 777-4200 Email: <a href="mailto:kwoodard@krcl.com">kwoodard@krcl.com</a></p>



<p><b>BLAKE, CASSELS &amp; GRAYDON LLP</b> 199 Bay Street, Suite 4000 Commerce Court West Toronto, ON M5L 1A9</p> <p>Counsel to JPMorgan Chase Bank, N.A.</p>	<p><b>Linc Rogers</b> Tel: (416) 863-4168 Email: <a href="mailto:linc.rogers@blakes.com">linc.rogers@blakes.com</a></p> <p><b>Alexia Parente</b> Tel: (416) 863-2417 Email: <a href="mailto:alexia.parente@blakes.com">alexia.parente@blakes.com</a></p>
<p><b>DUNDON ADVISERS LLC</b> 440 Mamaroneck Avenue, Fifth Floor Harrison, NY 10528 USA</p> <p>Fax: 1 (212) 202-4437</p> <p>Copy to:</p> <p><b>TYR LLP</b> 488 Wellington Street West Suite 300-302 Toronto, ON M5V 1E3</p>	<p><b>Matthew Dundon</b> Tel: 1 (917) 838-1930 Email: <a href="mailto:md@dundon.com">md@dundon.com</a></p> <p><b>Eric Reubel</b> Tel: 1 (917) 626-4051 Email: <a href="mailto:er@dundon.com">er@dundon.com</a></p> <p>Copy to:</p> <p><b>Jason Wadden</b> Tel: (416) 627-9815 Email: <a href="mailto:jwadden@tyrllp.com">jwadden@tyrllp.com</a></p>
<p><b>FINKELSTEIN, BLANKINSHIP, FREI-PEARSON &amp; GARBER, LLP</b> One North Broadway, Suite 900 White Plains, NY 10601 Tel: (914) 298-3290</p> <p><b>SHUB LAW FIRM LLC</b> 134 Kings Highway East, 2<sup>nd</sup> Floor Haddonfield, NJ 08033 Tel: (856) 772-7200</p> <p>US Counsel for Trevor Jordet, in his capacity as proposed class representative in <i>Jordet v. Just Energy Solutions Inc.</i></p> <p><b>STOCKWOODS LLP</b> Barristers Toronto-Dominion Centre TD North Tower, Box 140 77 King Street West, Suite 4130 Toronto, ON M5K 1H1</p> <p>Agent for US Counsel for Trevor Jordet</p>	<p><b>Greg Blankinship</b> Tel: (914) 298-3290 Email: <a href="mailto:gblankinship@fbfglaw.com">gblankinship@fbfglaw.com</a></p> <p><b>Jonathan Shub</b> Email: <a href="mailto:jshub@shublawyers.com">jshub@shublawyers.com</a></p> <p><b>Kevin Laukaitis</b> Email: <a href="mailto:klaukaitis@shublawyers.com">klaukaitis@shublawyers.com</a></p> <p><b>Stephen Aylward</b> Tel: (416) 593-2496 Email: <a href="mailto:stephena@stockwoods.ca">stephena@stockwoods.ca</a></p>

<p><b>WITTELS MCINTURFF PALIKOVIC</b> 18 Half Mile Road Armonk, NY 10504 Tel: (914) 775-8862</p> <p>Fax: (914) 273-2563</p> <p>US Counsel for Fira Donin and Inna Golovan, in their capacity as proposed class representatives in <i>Donin et al. v. Just Energy Group Inc. et al.</i></p> <p><b>STOCKWOODS LLP</b> Barristers Toronto-Dominion Centre TD North Tower, Box 140 77 King Street West, Suite 4130 Toronto, ON M5K 1H1</p> <p>Agent for US Counsel for Fira Donin and Inna Golovan</p>	<p><b>Steven L. Wittels</b> Tel: (914) 775-8862 Email: <a href="mailto:slw@wittelslaw.com">slw@wittelslaw.com</a></p> <p><b>J. Burkett McInturff</b> Tel: (910) 476-7253 Email: <a href="mailto:jbm@wittelslaw.com">jbm@wittelslaw.com</a></p> <p><b>Steven D. Cohen</b> Tel: (914) 775-8862 ext 109 Email: <a href="mailto:sdw@wittelslaw.com">sdw@wittelslaw.com</a></p> <p><b>Stephen Aylward</b> Tel: (416) 593-2496 Email: <a href="mailto:stephena@stockwoods.ca">stephena@stockwoods.ca</a></p>
<p><b>PALIARE ROLAND ROSENBERG ROTHSTEIN LLP</b> 155 Wellington Street West, 35th Floor Toronto, ON M5V 3H1 Tel: (416) 646-4300</p> <p>Fax: (416) 646-4301</p> <p>Counsel to US counsel for Fira Donin and Inna Golovan, in their capacity as proposed class representatives in <i>Donin et al. v. Just Energy Group Inc. et al.</i></p> <p>Counsel to US Counsel for Trevor Jordet, in his capacity as proposed class representative in <i>Jordet v. Just Energy Solutions Inc.</i></p>	<p><b>Ken Rosenberg</b> Tel: (416) 646-4304 Email: <a href="mailto:ken.rosenberg@paliareroland.com">ken.rosenberg@paliareroland.com</a></p> <p><b>Jeffrey Larry</b> Tel: (416) 646-4330 Email: <a href="mailto:jeff.larry@paliareroland.com">jeff.larry@paliareroland.com</a></p> <p><b>Danielle Glatt</b> Tel: (416) 646-7440 Email: <a href="mailto:danielle.glatt@paliareroland.com">danielle.glatt@paliareroland.com</a></p>

<p><b>AMERICAN EXPRESS</b> World Financial Center 200 Vesey St. New York, NY 10285-1000</p>	<p><b>Ina Thonfeld</b> Tel: 1 (212) 640-2216 Email: <a href="mailto:ina.thonfeld@aexp.com">ina.thonfeld@aexp.com</a></p> <p><b>Matthew Heimann</b> Tel: 1 (908) 208-9438 Email: <a href="mailto:matthew.heimann@aexp.com">matthew.heimann@aexp.com</a></p>
<p><b>AMERICAS CORE CREDIT - Reorg</b> 11 East 26th Street, 12th Floor New York, NY 10010</p> <p>(212) 588-8890</p>	<p><b>Bri Bilter</b> Email: <a href="mailto:bbilter@reorg.com">bbilter@reorg.com</a></p>
<p><b>STIKEMAN ELLIOTT LLP</b> 4300 Bankers Hall West 888 - 3rd Street S.W. Calgary, AB T2P 5C5</p> <p>Fax: (403) 266-9034</p> <p>Counsel for Alectra Utilities Corporation</p>	<p><b>Karen Fellowes, Q.C.</b> Tel: (403) 724-9469 (Calgary) (604) 631-1468 (Vancouver) Email: <a href="mailto:kfellowes@stikeman.com">kfellowes@stikeman.com</a></p>
<p><b>SULAIMAN LAW GROUP, LTD.</b> 2500 South Highland Ave., Suite 200 Lombard, Illinois 60148</p> <p>Fax: 1 (630) 575-8188</p> <p>Counsel for the Plaintiff in <i>Williams v. Fulcrum Retail Energy LLC</i> (Case No. 3:22-cv-00460-S, U.S. District Court – Northern District of Texas)</p>	<p><b>Nathan C. Volheim</b> Tel: 1 (630) 568-3056 Email: <a href="mailto:nvolheim@sulaimanlaw.com">nvolheim@sulaimanlaw.com</a></p> <p><b>Eric D. Coleman</b> Email: <a href="mailto:ecoleman@sulaimanlaw.com">ecoleman@sulaimanlaw.com</a></p> <p><b>Alejandro E. Figueroa</b> Email: <a href="mailto:alejandrof@sulaimanlaw.com">alejandrof@sulaimanlaw.com</a></p>

<p><b>TORYS LLP</b> 79 Wellington St. W., Suite 3000 Box 270, TD Centre Toronto, ON M5K 1N2</p> <p>Fax: (416) 865-7380</p> <p>Counsel to Calpine Corporation</p>	<p><b>Adam M. Slavens</b> Tel: (416) 865-7333 Email: <a href="mailto:aslavens@torys.com">aslavens@torys.com</a></p> <p><b>Mike Noel</b> Tel: (416) 865-7378 Email: <a href="mailto:mnoel@torys.com">mnoel@torys.com</a></p>
<p><b>OFFICE OF THE ILLINOIS ATTORNEY GENERAL</b> 100 West Randolph Street, 11th Floor Chicago, Illinois 60601</p>	<p><b>Darren Kinkead</b> Deputy Chief, Special Litigation Bureau Tel: 1 (773) 590-6967 Email: <a href="mailto:darren.kinkead@ilag.gov">darren.kinkead@ilag.gov</a></p>

**PPSA REGISTRANTS**

<p><b>ICE NGX CANADA INC.</b> 225 6th Avenue SW, Suite 2610 Calgary, AB</p>	<p>Email: <a href="mailto:maggie.xu@theice.com">maggie.xu@theice.com</a></p> <p>Copy to:</p> <p>Email: <a href="mailto:Operations-ICENGX-Clearing@TheIce.com">Operations-ICENGX-Clearing@TheIce.com</a></p>
<p><b>CISCO SYSTEMS CAPITAL CO.</b> 170 West Tasman Drive San Jose, CA 95134</p>	<p>Email: <a href="mailto:cscs-america-notice@cisco.com">cscs-america-notice@cisco.com</a></p>
<p><b>WELLS FARGO EQUIPMENT FINANCE COMPANY</b> 1290 Central Parkway West, Suite 1100 Mississauga, ON L5C 4R3</p> <p>Fax: 416.498.9240</p>	
<p><b>HEWLETT-PACKARD FINANCIAL SERVICES CANADA COMPANY</b> 5150 Spectrum Way 3rd Fl Mississauga, ON, L4W 5G1</p>	
<p><b>ENBRIDGE GAS INC.</b> 500 Consumers Road Toronto, ON M2J 1P8</p> <p>Fax: 416.495.5994</p> <p><b>ENBRIDGE GAS INC.</b> Suite 200, 425 1st Street SW Fifth Avenue Place, East Tower Calgary, AB T2P 3L8</p>	<p><b>Armanda Pinho</b> Associate General Counsel Tel: 416.428.8944 Email: <a href="mailto:Armanda.pinho@enbridge.com">Armanda.pinho@enbridge.com</a></p> <p><b>Joseph Marra</b> Senior Legal Counsel Tel: 403.612.5117 Email: <a href="mailto:Joseph.marra@enbridge.com">Joseph.marra@enbridge.com</a></p> <p><b>Rob DiMaria</b> Tel: 416.523.9629 Email: <a href="mailto:Rob.DiMaria@enbridge.com">Rob.DiMaria@enbridge.com</a></p> <p><b>Shawn McClacherty</b> Tel: 519.365.8945 Email: <a href="mailto:Shawn.McClacherty@enbridge.com">Shawn.McClacherty@enbridge.com</a></p> <p><b>Terry Laframboise</b> Tel: 519.567.3587 Email: <a href="mailto:Terry.Laframboise@enbridge.com">Terry.Laframboise@enbridge.com</a></p> <p><b>Amir Hasan</b> Tel: (416) 450 0253 Email: <a href="mailto:Amir.Hasan@enbridge.com">Amir.Hasan@enbridge.com</a></p>

<p><b>XEROX CANADA LTD.</b> 20 York Mills Rd #5 North York, ON M2P 2C2</p>	
<p><b>CANADIAN IMPERIAL BANK OF COMMERCE</b> 199 Bay Street, Commerce Court Toronto, ON, CA, M5L 1A2</p> <p>Fax: 416.980.7012</p>	

**Email List:**

[MWasserman@osler.com](mailto:MWasserman@osler.com); [MDeLellis@osler.com](mailto:MDeLellis@osler.com); [JDacks@osler.com](mailto:JDacks@osler.com); [SIrving@osler.com](mailto:SIrving@osler.com);  
[DRosenblat@osler.com](mailto:DRosenblat@osler.com); [brian.schartz@kirkland.com](mailto:brian.schartz@kirkland.com); [mary.kogut@kirkland.com](mailto:mary.kogut@kirkland.com);  
[paul.bishop@fticonsulting.com](mailto:paul.bishop@fticonsulting.com); [jim.robinson@fticonsulting.com](mailto:jim.robinson@fticonsulting.com); [rthornton@tgf.ca](mailto:rthornton@tgf.ca);  
[rnicholson@tgf.ca](mailto:rnicholson@tgf.ca); [pfesharaki@tgf.ca](mailto:pfesharaki@tgf.ca); [rkennedy@tgf.ca](mailto:rkennedy@tgf.ca); [tdemarinis@torys.com](mailto:tdemarinis@torys.com);  
[hmeredith@mccarthy.ca](mailto:hmeredith@mccarthy.ca); [jgage@mccarthy.ca](mailto:jgage@mccarthy.ca); [jlapedus@mccarthy.ca](mailto:jlapedus@mccarthy.ca); [dlynde@mccarthy.ca](mailto:dlynde@mccarthy.ca);  
[stetro@chapman.com](mailto:stetro@chapman.com); [mmreed@chapman.com](mailto:mmreed@chapman.com); [howard.gorman@nortonrosefulbright.com](mailto:howard.gorman@nortonrosefulbright.com);  
[rjacobs@cassels.com](mailto:rjacobs@cassels.com); [jdietch@casells.com](mailto:jdietch@casells.com); [mwunder@cassels.com](mailto:mwunder@cassels.com);  
[daniel.sylvester@hklaw.com](mailto:daniel.sylvester@hklaw.com); [dbotter@akingump.com](mailto:dbotter@akingump.com); [aqureshi@akingump.com](mailto:aqureshi@akingump.com);  
[zwittenberg@akingump.com](mailto:zwittenberg@akingump.com); [cnichols@akingump.com](mailto:cnichols@akingump.com);  
[howard.gorman@nortonrosefulbright.com](mailto:howard.gorman@nortonrosefulbright.com); [ryan.manns@nortonrosefulbright.com](mailto:ryan.manns@nortonrosefulbright.com);  
[david.mann@dentons.com](mailto:david.mann@dentons.com); [robert.kennedy@dentons.com](mailto:robert.kennedy@dentons.com); [patrick.hughes@haynesboone.com](mailto:patrick.hughes@haynesboone.com);  
[kelli.norfleet@haynesboone.com](mailto:kelli.norfleet@haynesboone.com); [Patrick.Woodhouse@constellation.com](mailto:Patrick.Woodhouse@constellation.com);  
[Bill.SCHNURR@brucepower.com](mailto:Bill.SCHNURR@brucepower.com); [Gerald.Nemec@edfenergyna.com](mailto:Gerald.Nemec@edfenergyna.com);  
[Frank.Smejkal@edfenergyna.com](mailto:Frank.Smejkal@edfenergyna.com); [ELLIOT.BONNER@nexteraenergy.com](mailto:ELLIOT.BONNER@nexteraenergy.com);  
[Allison.Ridder@nexteraenergy.com](mailto:Allison.Ridder@nexteraenergy.com); [FICC.notices@macquarie.com](mailto:FICC.notices@macquarie.com);  
[FICClegalHouston@Macquarie.com](mailto:FICClegalHouston@Macquarie.com); [FICClegalHouston@Macquarie.com](mailto:FICClegalHouston@Macquarie.com);  
[FICClegalHouston@Macquarie.com](mailto:FICClegalHouston@Macquarie.com); [msloanservicing@morganstanley.com](mailto:msloanservicing@morganstanley.com);  
[commission.secretary@bcuc.com](mailto:commission.secretary@bcuc.com); [info@aeso.ca](mailto:info@aeso.ca); [Chun.Seto@aeso.ca](mailto:Chun.Seto@aeso.ca); [scott.hood@gov.ab.ca](mailto:scott.hood@gov.ab.ca);  
[jp.mousseau@auc.ab.ca](mailto:jp.mousseau@auc.ab.ca); [RetailerContact@atcogas.com](mailto:RetailerContact@atcogas.com); [regulatory@apexutilities.ca](mailto:regulatory@apexutilities.ca);  
[brpc@brpower.coop](mailto:brpc@brpower.coop); [gloria@fortmacleod.com](mailto:gloria@fortmacleod.com); [admin@fortmacleod.com](mailto:admin@fortmacleod.com);  
[sharon.wong@fortisalberta.com](mailto:sharon.wong@fortisalberta.com); [gas.regulatory.affairs@fortisbc.com](mailto:gas.regulatory.affairs@fortisbc.com);  
[electricity.regulatory.affairs@fortisbc.com](mailto:electricity.regulatory.affairs@fortisbc.com); [cglazer@equs.ca](mailto:cglazer@equs.ca); [utilities@ponoka.ca](mailto:utilities@ponoka.ca);  
[utilities@crownsnestpass.com](mailto:utilities@crownsnestpass.com); [fcaa@gov.sk.ca](mailto:fcaa@gov.sk.ca); [Rachel.McMillin@gov.mb.ca](mailto:Rachel.McMillin@gov.mb.ca);  
[Kristen.Schubert@gov.mb.ca](mailto:Kristen.Schubert@gov.mb.ca); [publicutilities@gov.mb.ca](mailto:publicutilities@gov.mb.ca); [dmartin@hydro.mb.ca](mailto:dmartin@hydro.mb.ca);  
[BACzarnecki@hydro.mb.ca](mailto:BACzarnecki@hydro.mb.ca); [cdfoulkes@hydro.mb.ca](mailto:cdfoulkes@hydro.mb.ca); [registrar@oeb.ca](mailto:registrar@oeb.ca);  
[peggy.lund@algomapower.com](mailto:peggy.lund@algomapower.com); [regulatoryaffairs@fortisontario.com](mailto:regulatoryaffairs@fortisontario.com); [info@athydro.com](mailto:info@athydro.com);  
[jen.wiens@athydro.com](mailto:jen.wiens@athydro.com); [kgadsby@bluewaterpower.com](mailto:kgadsby@bluewaterpower.com); [regulatory@bluewaterpower.com](mailto:regulatory@bluewaterpower.com);  
[regulatoryaffairs@energyplus.ca](mailto:regulatoryaffairs@energyplus.ca); [regulatory@brantford.ca](mailto:regulatory@brantford.ca);  
[regulatoryaffairs@burlingtonhydro.com](mailto:regulatoryaffairs@burlingtonhydro.com); [regulatoryaffairs@energyplus.ca](mailto:regulatoryaffairs@energyplus.ca);  
[regulatoryaffairs@fortisontario.com](mailto:regulatoryaffairs@fortisontario.com); [regulatory@cwhydro.ca](mailto:regulatory@cwhydro.ca); [chec@onlink.net](mailto:chec@onlink.net);  
[jcyr.puc@chapleau.ca](mailto:jcyr.puc@chapleau.ca); [onreg.electricity@epcor.com](mailto:onreg.electricity@epcor.com); [benoit@hydroembrun.ca](mailto:benoit@hydroembrun.ca);  
[emuscat@enersource.com](mailto:emuscat@enersource.com); [regulatoryaffairs@alecrautilities.com](mailto:regulatoryaffairs@alecrautilities.com); [Tracy.Manso@entegrus.com](mailto:Tracy.Manso@entegrus.com);  
[regulatory@entegrus.com](mailto:regulatory@entegrus.com); [ana.couto@entegrus.com](mailto:ana.couto@entegrus.com); [retailerrelations@enwin.com](mailto:retailerrelations@enwin.com);  
[regulatory@enwin.com](mailto:regulatory@enwin.com); [oeb@erithamespower.com](mailto:oeb@erithamespower.com); [jbarile@essexpowerlines.ca](mailto:jbarile@essexpowerlines.ca); [info@ffpc.ca](mailto:info@ffpc.ca);  
[jodiek@shec.com](mailto:jodiek@shec.com); [regulatoryaffairs@gsuinc.ca](mailto:regulatoryaffairs@gsuinc.ca); [regulatoryaffairs@grimsbypower.com](mailto:regulatoryaffairs@grimsbypower.com);  
[christina.koren@alecrautilities.com](mailto:christina.koren@alecrautilities.com); [regulatoryaffairs@alecrautilities.com](mailto:regulatoryaffairs@alecrautilities.com);  
[paul.harricks@hydroone.com](mailto:paul.harricks@hydroone.com); [tracyr@haltonhillshydro.com](mailto:tracyr@haltonhillshydro.com); [jrichard@hearstpower.com](mailto:jrichard@hearstpower.com);  
[regulatoryaffairs@alecrautilities.com](mailto:regulatoryaffairs@alecrautilities.com); [lisewilkinson@hydro2000.ca](mailto:lisewilkinson@hydro2000.ca);  
[service@hydrohawkesbury.ca](mailto:service@hydrohawkesbury.ca); [regulatory@hydroone.com](mailto:regulatory@hydroone.com);  
[regulatoryaffairs@alecrautilities.com](mailto:regulatoryaffairs@alecrautilities.com); [regulatoryaffairs@hydroottawa.com](mailto:regulatoryaffairs@hydroottawa.com);  
[regulatoryaffairs@innpower.ca](mailto:regulatoryaffairs@innpower.ca); [jrobertson@kenora.ca](mailto:jrobertson@kenora.ca); [regulatory@synergynorth.ca](mailto:regulatory@synergynorth.ca);  
[rmurphy@utilitieskingston.com](mailto:rmurphy@utilitieskingston.com); [regulatory@kingstonhydro.com](mailto:regulatory@kingstonhydro.com); [jvanooteghem@kwhydro.ca](mailto:jvanooteghem@kwhydro.ca);  
[dpaul@lusi.on.ca](mailto:dpaul@lusi.on.ca); [regulatory@lusi.on.ca](mailto:regulatory@lusi.on.ca); [regulatoryaffairs@londonhydro.com](mailto:regulatoryaffairs@londonhydro.com);  
[chuma@midlandpuc.on.ca](mailto:chuma@midlandpuc.on.ca); [regulatory@nmhydro.ca](mailto:regulatory@nmhydro.ca); [igor.rusic@miltonhydro.com](mailto:igor.rusic@miltonhydro.com);  
[regulatory@miltonhydro.com](mailto:regulatory@miltonhydro.com); [tcurtis@notlhydro.com](mailto:tcurtis@notlhydro.com); [Margaret.battista@npei.ca](mailto:Margaret.battista@npei.ca);  
[regulatory@hydroone.com](mailto:regulatory@hydroone.com); [gsauve@northbayhydro.com](mailto:gsauve@northbayhydro.com); [sbomhof@torys.com](mailto:sbomhof@torys.com);

[regulatoryaffairs@northbayhydro.com](mailto:regulatoryaffairs@northbayhydro.com); [sandras@nowinc.ca](mailto:sandras@nowinc.ca); [regulatory@nowinc.ca](mailto:regulatory@nowinc.ca);  
[mwilson@oakvillehydro.com](mailto:mwilson@oakvillehydro.com); [regulatoryaffairs@oakvillehydro.com](mailto:regulatoryaffairs@oakvillehydro.com);  
[regulatoryaffairs@orangevillehydro.on.ca](mailto:regulatoryaffairs@orangevillehydro.on.ca); [phurley@orilliapower.ca](mailto:phurley@orilliapower.ca);  
[regulatory@hydroone.com](mailto:regulatory@hydroone.com); [sbeckstead@opuc.on.ca](mailto:sbeckstead@opuc.on.ca); [regulatory.affairs@opuc.on.ca](mailto:regulatory.affairs@opuc.on.ca);  
[jallen@orpowercorp.com](mailto:jallen@orpowercorp.com); [jstephenson@peterboroughutilities.ca](mailto:jstephenson@peterboroughutilities.ca); [regulatory@hydroone.com](mailto:regulatory@hydroone.com);  
[regulatoryaffairs@alecrautilities.com](mailto:regulatoryaffairs@alecrautilities.com); [Jennifer.uchmanowicz@ssmpuc.com](mailto:Jennifer.uchmanowicz@ssmpuc.com);  
[regulatory@ssmpuc.com](mailto:regulatory@ssmpuc.com); [regulatory@renfrewhydro.com](mailto:regulatory@renfrewhydro.com); [jwalsh@rslu.ca](mailto:jwalsh@rslu.ca); [slhydro@tbaytel.net](mailto:slhydro@tbaytel.net);  
[dkulchyski@siouxlookouthydro.com](mailto:dkulchyski@siouxlookouthydro.com); [regulatory@entegrus.com](mailto:regulatory@entegrus.com); [regulatory@nmhydro.ca](mailto:regulatory@nmhydro.ca);  
[twilson@tbhydro.on.ca](mailto:twilson@tbhydro.on.ca); [regulatory@synergynorth.ca](mailto:regulatory@synergynorth.ca); [rbaichan@tillsonburg.ca](mailto:rbaichan@tillsonburg.ca);  
[epage@torontohydro.com](mailto:epage@torontohydro.com); [regulatoryaffairs@torontohydro.com](mailto:regulatoryaffairs@torontohydro.com);  
[llombardi@elexiconenergy.com](mailto:llombardi@elexiconenergy.com); [d.stavinga@wasagadist.ca](mailto:d.stavinga@wasagadist.ca); [retinfo@wnhydro.com](mailto:retinfo@wnhydro.com);  
[porosz@wellandhydro.com](mailto:porosz@wellandhydro.com); [rbucknall@wellingtonnorthpower.com](mailto:rbucknall@wellingtonnorthpower.com);  
[oeb@erithamespower.com](mailto:oeb@erithamespower.com); [Malcolm.McCallum@westario.com](mailto:Malcolm.McCallum@westario.com); [sreffle@whitbyhydro.on.ca](mailto:sreffle@whitbyhydro.on.ca);  
[llombardi@elexiconenergy.com](mailto:llombardi@elexiconenergy.com); [regulatory@hydroone.com](mailto:regulatory@hydroone.com); [KU-sups@kitchener.ca](mailto:KU-sups@kitchener.ca);  
[ntaylor@utilitieskingston.com](mailto:ntaylor@utilitieskingston.com); [info@energir.com](mailto:info@energir.com); [mrobin20@travelers.com](mailto:mrobin20@travelers.com);  
[Howard.uniman@zurichna.com](mailto:Howard.uniman@zurichna.com); [maggie.xu@theice.com](mailto:maggie.xu@theice.com);  
[csc-america-notice@cisco.com](mailto:csc-america-notice@cisco.com); [Shakeel.Arshed@enbridge.com](mailto:Shakeel.Arshed@enbridge.com);  
[RetailerServices@atcoelectric.com](mailto:RetailerServices@atcoelectric.com) [Knox.Davidson@atco.com](mailto:Knox.Davidson@atco.com); [jerickson@osler.com](mailto:jerickson@osler.com);  
[EPaplawski@osler.com](mailto:EPaplawski@osler.com); [Michael.Strohmeier@constellation.com](mailto:Michael.Strohmeier@constellation.com); [peter.bychawski@blakes.com](mailto:peter.bychawski@blakes.com);  
[JHiggins@porterhedges.com](mailto:JHiggins@porterhedges.com); [Armanda.pinho@enbridge.com](mailto:Armanda.pinho@enbridge.com); [Joseph.marra@enbridge.com](mailto:Joseph.marra@enbridge.com);  
[Rob.DiMaria@enbridge.com](mailto:Rob.DiMaria@enbridge.com); [Shawn.McClacherty@enbridge.com](mailto:Shawn.McClacherty@enbridge.com);  
[Terry.Laframboise@enbridge.com](mailto:Terry.Laframboise@enbridge.com); [Amir.Hasan@enbridge.com](mailto:Amir.Hasan@enbridge.com); [tyler.planeta@siskinds.com](mailto:tyler.planeta@siskinds.com);  
[michael.robb@siskinds.com](mailto:michael.robb@siskinds.com); [apelletier@investorcomplexlaw.com](mailto:apelletier@investorcomplexlaw.com);  
[ckbh@investorcomplexlaw.com](mailto:ckbh@investorcomplexlaw.com); [jmaclellan@blg.com](mailto:jmaclellan@blg.com); [bbrooksbank@blg.com](mailto:bbrooksbank@blg.com);  
[tushara.weerasooriya@mcmillan.ca](mailto:tushara.weerasooriya@mcmillan.ca); [shahen.mirakian@mcmillan.ca](mailto:shahen.mirakian@mcmillan.ca);  
[stephen.brown-okruhlik@mcmillan.ca](mailto:stephen.brown-okruhlik@mcmillan.ca); [TCrotty-Wong@epcor.com](mailto:TCrotty-Wong@epcor.com); [legaldeptinqu@epcor.com](mailto:legaldeptinqu@epcor.com);  
[Credit@ATCO.com](mailto:Credit@ATCO.com); [Brian.Loewen@lethbridge.ca](mailto:Brian.Loewen@lethbridge.ca); [victor.buza@ieso.ca](mailto:victor.buza@ieso.ca); [michael.lyle@ieso.ca](mailto:michael.lyle@ieso.ca);  
[kenneth.kraft@dentons.com](mailto:kenneth.kraft@dentons.com); [gord.tarnowsky@dentons.com](mailto:gord.tarnowsky@dentons.com); [mark.freake@dentons.com](mailto:mark.freake@dentons.com);  
[arsalan.muhammad@haynesboone.com](mailto:arsalan.muhammad@haynesboone.com); [HaneyS1@michigan.gov](mailto:HaneyS1@michigan.gov); [EGoldstein@goodwin.com](mailto:EGoldstein@goodwin.com);  
[JSignor@goodwin.com](mailto:JSignor@goodwin.com); [bankruptcy@goodwin.com](mailto:bankruptcy@goodwin.com); [NelmsA@bennettjones.com](mailto:NelmsA@bennettjones.com);  
[klozynsk@apexutilities.ca](mailto:klozynsk@apexutilities.ca); [phillip.nelson@hklaw.com](mailto:phillip.nelson@hklaw.com); [MNanninga@KWHydro.ca](mailto:MNanninga@KWHydro.ca);  
[jshaffer@longviewcomms.ca](mailto:jshaffer@longviewcomms.ca); [berman@longviewcomms.ca](mailto:berman@longviewcomms.ca); [pblock@longviewcomms.ca](mailto:pblock@longviewcomms.ca);  
[nrambaran@mccarthy.ca](mailto:nrambaran@mccarthy.ca); [drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca); [jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca); [aziaie@kmlaw.ca](mailto:aziaie@kmlaw.ca);  
[Virginie.Gauthier@gowlingwlg.com](mailto:Virginie.Gauthier@gowlingwlg.com); [pcorney@wfkaw.ca](mailto:pcorney@wfkaw.ca); [sweisz@wfkaw.ca](mailto:sweisz@wfkaw.ca);  
[nicholsonc@jssbarristers.ca](mailto:nicholsonc@jssbarristers.ca); [mabramowitz@blaney.com](mailto:mabramowitz@blaney.com); [egolden@blaney.com](mailto:egolden@blaney.com);  
[kelly.bourassa@blakes.com](mailto:kelly.bourassa@blakes.com); [aneil@hydro.mb.ca](mailto:aneil@hydro.mb.ca); [bempey@goodmans.ca](mailto:bempey@goodmans.ca);  
[nlepore@schnader.com](mailto:nlepore@schnader.com); [rbarkasy@schnader.com](mailto:rbarkasy@schnader.com); [mkonyukhova@stikeman.com](mailto:mkonyukhova@stikeman.com);  
[davidnoble@puc.nv.gov](mailto:davidnoble@puc.nv.gov); [dlomoljo@puc.nv.gov](mailto:dlomoljo@puc.nv.gov); [tobrien@lzwlaw.com](mailto:tobrien@lzwlaw.com);  
[bmv@energybankinc.com](mailto:bmv@energybankinc.com); [ben.huff@elevationeg.com](mailto:ben.huff@elevationeg.com); [michael.b@empirearmi.com](mailto:michael.b@empirearmi.com);  
[diane.winters@justice.gc.ca](mailto:diane.winters@justice.gc.ca); [leslie.crawford@ontario.ca](mailto:leslie.crawford@ontario.ca); [insolvency.unit@ontario.ca](mailto:insolvency.unit@ontario.ca);  
[paul.fagan@amcapr.com](mailto:paul.fagan@amcapr.com); [ihurley@leckerslaw.com](mailto:ihurley@leckerslaw.com); [tina@leckerslaw.com](mailto:tina@leckerslaw.com);  
[Maribeth.Halls@cdw.ca](mailto:Maribeth.Halls@cdw.ca); [pat.confalone@cra-arc.gc.ca](mailto:pat.confalone@cra-arc.gc.ca); [tbf.minister@gov.ab.ca](mailto:tbf.minister@gov.ab.ca);  
[associateminister-rtr@gov.ab.ca](mailto:associateminister-rtr@gov.ab.ca); [Monique.Sampson@Logix.com](mailto:Monique.Sampson@Logix.com); [Credit@Logix.com](mailto:Credit@Logix.com);  
[tonie.bloomingberg@logix.com](mailto:tonie.bloomingberg@logix.com); [harvey@chaitons.com](mailto:harvey@chaitons.com); [Don.Verdon@cbts.com](mailto:Don.Verdon@cbts.com);  
[Yana.Nedyalkova@computershare.com](mailto:Yana.Nedyalkova@computershare.com); [John.Poolman@computershare.com](mailto:John.Poolman@computershare.com);  
[Jonathan.ChampouxCadoche@computershare.com](mailto:Jonathan.ChampouxCadoche@computershare.com);



[james.bartlett@rockpointgs.com](mailto:james.bartlett@rockpointgs.com); [bcomfort@strategicgroup.ca](mailto:bcomfort@strategicgroup.ca); [jgradishar@strategicgroup.ca](mailto:jgradishar@strategicgroup.ca);  
[lnorton@lpc.com](mailto:lnorton@lpc.com); [bcaravela@LPC.com](mailto:bcaravela@LPC.com); [rmacdonald@foglers.com](mailto:rmacdonald@foglers.com);  
[jleslie@dickinsonwright.com](mailto:jleslie@dickinsonwright.com); [lcorne@dickinsonwright.com](mailto:lcorne@dickinsonwright.com);  
[gtremblay@blg.com](mailto:gtremblay@blg.com); [lgalessiere@cglegal.ca](mailto:lgalessiere@cglegal.ca); [jwuthmann@cglegal.ca](mailto:jwuthmann@cglegal.ca); [tdunn@mindengross.com](mailto:tdunn@mindengross.com);  
[sskorbinski@mindengross.com](mailto:sskorbinski@mindengross.com); [lmorwick@silvercreekmanagement.com](mailto:lmorwick@silvercreekmanagement.com);  
[bjoynt@silvercreekmanagement.com](mailto:bjoynt@silvercreekmanagement.com); [colin.brousson@dlapiper.com](mailto:colin.brousson@dlapiper.com);  
[alexandra.mccawley@dlapiper.com](mailto:alexandra.mccawley@dlapiper.com); [pcho@weirfoulds.com](mailto:pcho@weirfoulds.com); [mallen@weirfoulds.com](mailto:mallen@weirfoulds.com);  
[andrew@crabtreelaw.ca](mailto:andrew@crabtreelaw.ca); [rsalsterda@nixonpeabody.com](mailto:rsalsterda@nixonpeabody.com); [streusand@slollp.com](mailto:streusand@slollp.com);  
[michael.schafler@dentons.com](mailto:michael.schafler@dentons.com); [jsteiner@lionguardcapital.com](mailto:jsteiner@lionguardcapital.com);  
[bedmiston@alvarezandmarsal.com](mailto:bedmiston@alvarezandmarsal.com); [beth.baker@wvago.gov](mailto:beth.baker@wvago.gov); [chris.burr@blakes.com](mailto:chris.burr@blakes.com);  
[eperal@kelleydrye.com](mailto:eperal@kelleydrye.com); [emma.dalziel@gowlingwlg.com](mailto:emma.dalziel@gowlingwlg.com); [scoleman@alvarezandmarsal.com](mailto:scoleman@alvarezandmarsal.com);  
[zychk@bennettjones.com](mailto:zychk@bennettjones.com); [swanr@bennettjones.com](mailto:swanr@bennettjones.com); [bellp@bennettjones.com](mailto:bellp@bennettjones.com);  
[fosterj@bennettjones.com](mailto:fosterj@bennettjones.com); [thomas.roussy@avocatsratelle.com](mailto:thomas.roussy@avocatsratelle.com); [kwoodard@krcl.com](mailto:kwoodard@krcl.com);  
[linc.rogers@blakes.com](mailto:linc.rogers@blakes.com); [Operations-ICENGX-Clearing@TheIce.com](mailto:Operations-ICENGX-Clearing@TheIce.com); [md@dundon.com](mailto:md@dundon.com);  
[er@dundon.com](mailto:er@dundon.com); [mwinchester@festivalhydro.com](mailto:mwinchester@festivalhydro.com); [grahamj@festivalhydro.com](mailto:grahamj@festivalhydro.com);  
[blaborie@bridgehouselaw.ca](mailto:blaborie@bridgehouselaw.ca); [stephena@stockwoods.ca](mailto:stephena@stockwoods.ca); [gblankinship@fbfglaw.com](mailto:gblankinship@fbfglaw.com);  
[jshub@shublawyers.com](mailto:jshub@shublawyers.com); [klaukaitis@shublawyers.com](mailto:klaukaitis@shublawyers.com); [slw@wittelslaw.com](mailto:slw@wittelslaw.com);  
[jbm@wittelslaw.com](mailto:jbm@wittelslaw.com); [sdcc@wittelslaw.com](mailto:sdcc@wittelslaw.com); [jbellissimo@cassels.com](mailto:jbellissimo@cassels.com); [jdavids@justenergy.com](mailto:jdavids@justenergy.com);  
[mcarter@justenergy.com](mailto:mcarter@justenergy.com); [jeff.larry@paliareroland.com](mailto:jeff.larry@paliareroland.com); [ken.rosenberg@paliareroland.com](mailto:ken.rosenberg@paliareroland.com);  
[ina.thonfeld@aexp.com](mailto:ina.thonfeld@aexp.com); [matthew.heimann@aexp.com](mailto:matthew.heimann@aexp.com); [alexia.parente@blakes.com](mailto:alexia.parente@blakes.com);  
[amerskey@cassels.com](mailto:amerskey@cassels.com); [jpicone@cassels.com](mailto:jpicone@cassels.com); [cselby@cassels.com](mailto:cselby@cassels.com); [jbornstein@cassels.com](mailto:jbornstein@cassels.com);  
[bbilter@reorg.com](mailto:bbilter@reorg.com); [danielle.glatt@paliareroland.com](mailto:danielle.glatt@paliareroland.com); [mcasson@northbayhydro.com](mailto:mcasson@northbayhydro.com);  
[gsauve@northbayhydro.com](mailto:gsauve@northbayhydro.com); [kfellowes@stikeman.com](mailto:kfellowes@stikeman.com); [nvolheim@sulaimanlaw.com](mailto:nvolheim@sulaimanlaw.com);  
[ecoleman@sulaimanlaw.com](mailto:ecoleman@sulaimanlaw.com); [alejandrof@sulaimanlaw.com](mailto:alejandrof@sulaimanlaw.com); [jwadden@tyrllp.com](mailto:jwadden@tyrllp.com);  
[mweinczok@millერთhompson.com](mailto:mweinczok@millერთhompson.com); [apappas@burlingtonhydro.com](mailto:apappas@burlingtonhydro.com); [jokeefe@metzlewis.com](mailto:jokeefe@metzlewis.com);  
[ndidomenico@metzlewis.com](mailto:ndidomenico@metzlewis.com); [aslavens@torys.com](mailto:aslavens@torys.com); [mnoel@torys.com](mailto:mnoel@torys.com);  
[darren.kinhead@ilag.gov](mailto:darren.kinhead@ilag.gov);

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**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(Commercial List)**

**IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED**

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF JUST ENERGY GROUP INC., JUST ENERGY CORP., ONTARIO ENERGY COMMODITIES INC., UNIVERSAL ENERGY CORPORATION, JUST ENERGY FINANCE CANADA ULC, HUDSON ENERGY CANADA CORP., JUST MANAGEMENT CORP., 11929747 CANADA INC., 12175592 CANADA INC., JE SERVICES HOLDCO I INC., JE SERVICES HOLDCO II INC., 8704104 CANADA INC., JUST ENERGY ADVANCED SOLUTIONS CORP., JUST ENERGY (U.S.) CORP., JUST ENERGY ILLINOIS CORP., JUST ENERGY INDIANA CORP., JUST ENERGY MASSACHUSETTS CORP., JUST ENERGY NEW YORK CORP., JUST ENERGY TEXAS I CORP., JUST ENERGY, LLC, JUST ENERGY PENNSYLVANIA CORP., JUST ENERGY MICHIGAN CORP., JUST ENERGY SOLUTIONS INC., HUDSON ENERGY SERVICES LLC, HUDSON ENERGY CORP., INTERACTIVE ENERGY GROUP LLC, HUDSON PARENT HOLDINGS LLC, DRAG MARKETING LLC, JUST ENERGY ADVANCED SOLUTIONS LLC, FULCRUM RETAIL ENERGY LLC, FULCRUM RETAIL HOLDINGS LLC, TARA ENERGY, LLC, JUST ENERGY MARKETING CORP., JUST ENERGY CONNECTICUT CORP., JUST ENERGY LIMITED, JUST SOLAR HOLDINGS CORP. AND JUST ENERGY (FINANCE) HUNGARY ZRT

Applicants

**SUPPLEMENTAL AFFIDAVIT OF VLAD ANDREI CALINA  
(Affirmed June 1, 2022)**

I, **Vlad Andrei Calina**, of the City of Toronto, in the Province of Ontario, AFFIRM and say:

1. I am a lawyer with Koskie Minsky LLP, Class Counsel in the class proceeding styled *Omarali v Just Energy* bearing Court File No. CV-15-527493-00CP (the "**Omarali Action**") and, as such, I have knowledge of the matters hereinafter deposed. I have also been provided information by David Rosenfeld, the lawyer with primary carriage of the Omarali Action, and James Harnum, a lawyer with Koskie Minsky LLP involved in this proceeding, which I believe to be true.

2. This affidavit should be read in conjunction with the affidavit that I affirmed on May 26, 2022. All capitalized terms used but not defined have the meaning ascribed in the May 26 affidavit.
3. On May 30, 2022, Mr. Rosenfeld sent a letter to counsel for Just Energy and the Monitor. A copy of that letter, delivered by email, is attached as **Exhibit "A"**.
4. On May 31, 2022, Marc Wasserman, a lawyer with Osler, Hoskin & Harcourt LLP, responded to Mr. Rosenfeld's letter. A copy of that responding letter, delivered by email, is attached as **Exhibit "B"**.
5. Mr. Rosenfeld replied to Mr. Wasserman's letter that afternoon. A copy of Mr. Rosenfeld's reply letter, delivered by email, is attached as **Exhibit "C"**.
6. Mr. Wasserman's replied to Mr. Rosenfeld's letter shortly thereafter. A copy of Mr. Wasserman's reply is attached as **Exhibit "D"**.
7. Mr. Rosenfeld replied to Mr. Wasserman's email shortly thereafter. A copy of Mr. Rosenfeld's responding email is attached as **Exhibit "E"**.
8. I make this affidavit in response to Just Energy's motion for a meeting order.

**AFFIRMED BEFORE ME:**

in person

by video conference

by Vlad Andrei Calina at the City of Toronto, in the Province of Ontario, before me on June 1, 2022, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Commissioner for Taking Affidavits (*or as may be*)



\_\_\_\_\_  
Signature of Commissioner (*or as may be*)

Aryan Ziaie



\_\_\_\_\_  
Signature of Deponent

***THIS IS EXHIBIT "A" REFERRED TO IN THE  
AFFIDAVIT OF VLAD ANDREI CALINA  
SWORN BEFORE ME, THIS 1<sup>ST</sup> DAY OF JUNE, 2022***

A handwritten signature in black ink, appearing to read "Lynn L. L. L.", written over a horizontal line.

---

***A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.***



May 30, 2022

**David Rosenfeld\***

\* Practicing through a professional corporation  
Direct Dial: 416-595-2700  
Direct Fax: 416-204-2894  
drosenfeld@kmlaw.ca

**VIA E-MAIL**

Marc Wasserman  
Osler, Hoskin & Harcourt LLP  
100 King Street West, Suite 6200  
Toronto ON M5X 1B8

Robert Thornton  
Thornton Grout Finnigan LLP  
100 Wellington Street West, Suite 3200  
Toronto ON M5K 1K7

Dear Counsel:

**Re: Omarali v. Just Energy Group Inc. et al (the "Omarali Action")  
Court File No. CV-15-52749300 CP  
Draft Meeting Order and Proposed Plan of Arrangement (the "Plan")  
Our File No.: 15-0110**

Mr. Carter's affidavits sworn May 12, 2022 and May 29, 2022 omit material information regarding the voting entitlement on the proposed Plan. Mr. Carter does not disclose the number or identity of all of the creditors entitled to vote on the proposed Plan nor does he provide a breakdown of their voting entitlement.

Mr. Omarali, on behalf of all Class Members in the Omarali Action, requests that the Just Energy Entities or the Monitor, as the case may be, disclose:

- a) With respect to the "Credit Facility Lenders", as that term is defined in Mr. Carter's May 12, 2022 affidavit (the "**Carter Affidavit**"):
  - i. The total number of the natural or corporate persons making up the Credit Facility Lenders;
  - ii. The identity of the natural or corporate persons making up the Credit Facility Lenders;
  - iii. The number of votes attributed to each entity making up the Credit Facility Lenders;
  - iv. The value attributable to the claims of each entity making up the Credit Facility Lenders;
  - v. The total number of votes attributable to all of the Credit Facility Lenders; and

- vi. The total value attributable to the claims of all the Credit Facility Lenders.
- b) With respect to the "Term Loan Claim Holders", as that term is defined in the Carter Affidavit:
- i. The total number of the natural or corporate persons making up the Term Loan Claim Holders;
  - ii. The identity of the natural or corporate persons making up the Term Loan Claim Holders;
  - iii. The number of votes attributed to each entity making up the Term Loan Claim Holders;
  - iv. The value attributable to the claims of each entity making up the Term Loan Claim Holders;
  - v. The total number of votes attributable to all of the Term Loan Claim Holders; and
  - vi. The total value attributable to the claims of all the Term Loan Claim Holders.
- c) With respect to the "Convenience Creditors" that hold a "Convenience Claim", as those terms are defined in the Carter Affidavit:
- i. The total number of the natural or corporate persons making up the Convenience Creditors;
  - ii. The identity of the natural or corporate persons making up the Convenience Creditors;
  - iii. The number of votes attributed to each entity making up the Convenience Creditors;
  - iv. The value attributable to the claims of each entity making up the Convenience Creditors;
  - v. The total number of votes attributable to all of the Convenience Creditors; and
  - vi. The total value attributable to the claims of all the Convenience Creditors.
- d) With respect to the "General Unsecured Creditors", as that term is defined in the Carter Affidavit:
- i. The total number of the natural or corporate persons making up the General Unsecured Creditors "that will eventually become Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - ii. The identity of the natural or corporate persons making up the General Unsecured Creditors "that will eventually become Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;

- iii. The number of votes attributed to each entity making up the General Unsecured Creditors "that will eventually become Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - iv. The value attributable to the claims of each entity making up the General Unsecured Creditors "that will eventually become Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - v. The total number of votes attributable to all of the General Unsecured Creditors "that will eventually become Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - vi. The total value attributable to the claims of all the General Unsecured Creditors "that will eventually become Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - vii. The total number of the natural or corporate persons making up the General Unsecured Creditors described as "litigation claims submitted with the Claims Process that are likely to be come Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - viii. The identity of the natural or corporate persons making up the General Unsecured Creditors "that will eventually become Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - ix. The number of votes attributed to each entity making up the General Unsecured Creditors described as "litigation claims submitted with the Claims Process that are likely to be come Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - x. The value attributable to the claims of each entity making up the General Unsecured Creditors described as "litigation claims submitted with the Claims Process that are likely to be come Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit;
  - xi. The total number of votes attributable to all of the General Unsecured Creditors described as "litigation claims submitted with the Claims Process that are likely to be come Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit; and
  - xii. The total value attributable to the claims of all the General Unsecured Creditors described as "litigation claims submitted with the Claims Process that are likely to be come Accepted Claims" as referenced at paragraph 78(a) of the Carter Affidavit.
- e) With respect to the creditors holding "*De Minimis* Claims", as that term is defined in the Carter Affidavit,
- i. The total number of the natural or corporate persons making up the *De Minimis* Claims;



- ii. The identity of the natural or corporate persons making up the *De Minimis* Claims;
  - iii. The number of votes attributed to each entity making up the *De Minimis* Claims;
  - iv. The value attributable to the claims of each entity making up the *De Minimis* Claims;
  - v. The total number of creditors holding *De Minimis* Claims;
  - vi. The total number of votes attributable to all the creditors holding *De Minimis* Claims; and
  - vii. The total value attributable to the claims of all the creditors holding *De Minimis* Claims.
- f) If specific information is not available for any of the above, then estimates should be provided for each.

We are hoping that responses to our request for information above will obviate the need to cross-examine Mr. Carter. To ensure that the information sought is available for the Just Energy Entities' motion on June 7, 2022, please provide this information by no later than the close of business on **June 1, 2022**.

Mr. Omarali, on behalf of all Class Members in the Omarali Action, reserves the right to cross-examine Mr. Carter on his affidavits in the event that you refuse to provide the above information and with respect to any issues that may arise or be relevant to a future motion to sanction the plan of compromise.

Yours truly,

David Rosenfeld  
Partner  
DR:ls

c James Harnum, Vlad Calina

*THIS IS EXHIBIT "B" REFERRED TO IN THE  
AFFIDAVIT OF VLAD ANDREI CALINA  
SWORN BEFORE ME, THIS 1<sup>ST</sup> DAY OF JUNE, 2022*



---

*A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.*

Osler, Hoskin & Harcourt LLP  
 Box 50, 1 First Canadian Place  
 Toronto, Ontario, Canada M5X 1B8  
 416.362.2111 MAIN  
 416.862.6666 FACSIMILE

OSLER

Toronto

May 31, 2022

Marc S. Wasserman  
 Direct Dial: 416.862.4908  
 mwasserman@osler.com  
 Our Matter Number: 1218715

Montréal

**SENT BY ELECTRONIC MAIL**

Calgary

Koskie Minsky LLP  
 20 Queen Street West  
 Suite 900, Box 52  
 Toronto, Ontario M5H 3R3  
 Attention: David Rosenfeld

Ottawa

Vancouver

New York

Dear Sir:

**Re: Omarali v. Just Energy Group Inc. et al**  
**Court File No. CV-15-52749300 CP**  
**Draft Meeting Order and Proposed Plan of Arrangement**

We acknowledge receipt of your letter at 9:30 pm on May 30, 2022, containing for the first time a long list of questions and information requests.

With respect to matters of process we note the following:

1. You and your client have had Mr. Carter's affidavit for almost three weeks since it was served on May 12, 2022.
2. You sent a letter 12 days ago on May 19, 2022, stating that you believe it will be necessary to conduct a cross-examination of Mr. Carter on his May 12, 2022, affidavit.
3. You agreed to a schedule and timetable leading to the June 7<sup>th</sup> hearing that included any cross-examination of Mr. Carter being conducted **today** on May 31, 2022.
4. Mr. Carter has been available to be cross-examined at any time since May 12, 2022, including over holiday weekends in both Canada and the United States.
5. After not hearing from your firm with respect to a potential cross-examination of Mr. Carter, the Just Energy Entities inquired in writing whether you intended to do so on May 28, 2022.
6. The agreed upon schedule did not contemplate the provision of written questions to the Just Energy Entities.

7. Despite indicating almost two weeks ago that you felt it necessary to cross-examine Mr. Carter, you have taken no steps to arrange for such a cross-examination.

In addition to the foregoing, it is the position of the Just Energy Entities that the information requested in your May 30, 2022 letter is not relevant to the Meetings Order Motion. Should any cross-examination be conducted, we expect that many, if not all, of those questions will be refused.

Despite not being provided for by the agreed-upon timetable, the Just Energy Entities can make Michael Carter available for cross-examination at Osler's offices at 2:00 pm on June 1, 2022. Please advise by **1:00 pm today** whether you intend to cross-examine Mr. Carter tomorrow on his affidavit so he can make the necessary travel arrangements.

We also do not agree to any other modifications to the agreed-upon timetable for the June 7<sup>th</sup> hearing. We look forward to receiving any factum your client may file by June 2, 2022, and we will object to your client seeking to file any additional materials after that date.

Yours very truly,



Marc S. Wasserman

c: Robert Thornton, *Thornton Grout Finnigan LLP*  
Paul Bishop, *FTI Consulting Canada Inc.*  
Jeremy Dacks, *Osler, Hoskin & Harcourt LLP*  
James Harnum and Vlad Calina, *Koskie Minsky LLP*

***THIS IS EXHIBIT "C" REFERRED TO IN THE  
AFFIDAVIT OF VLAD ANDREI CALINA  
SWORN BEFORE ME, THIS 1<sup>ST</sup> DAY OF JUNE, 2022***



---

***A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.***



May 31, 2022

**David Rosenfeld\***

\* Practicing through a professional corporation  
Direct Dial: 416-595-2700  
Direct Fax: 416-204-2894  
drosenfeld@kmlaw.ca

**VIA E-MAIL**

Marc Wasserman  
Osler, Hoskin & Harcourt LLP  
100 King Street West, Suite 6200  
Toronto ON M5X 1B8

Dear Counsel:

**Re: Omarali v. Just Energy Group Inc. et al (the "Omarali Action")  
Court File No. CV-15-52749300 CP  
Draft Meeting Order and Proposed Plan of Arrangement (the "Plan")  
Our File No.: 15-0110**

Thank you for your letter of today.

The questions posed in our letter of May 30, 2022 were submitted in lieu of an oral cross-examination. An oral cross-examination would simply consist of us asking for the information requested in our letter of May 30.

Given the nature of the questions and expected responses, we did not believe an oral examination was necessary. We maintain that view following your response from today.

In our view, conducting such an oral examination would be an unnecessary waste of party resources, which we know all parties in this CCAA process are concerned about. This is further supported by your position that the information requested is not relevant to the Meetings Order Motion. While we disagree, we don't see a need to have the parties attend for an oral examination to have these questions asked and then be advised they will not be answered on the basis of relevance.

We accept from your letter of today that your position is that the information we requested is not relevant to the Meetings Order Motion and that you will not be providing the information sought. If that is not correct, please advise what information you will or will not provide.

If you want to have your position set out in a formal fashion, you are welcome to provide responses by way of affidavit.



If you are still insistent that the information we requested and the responses you provide must be asked in an oral examination, please advise by the end of day today. In any event, any such oral examination could be conducted by video conference, so there should be no need to devote further resources of the Debtor to unnecessary travel.

Yours truly,

A handwritten signature in black ink, appearing to read "D. Rosenfeld". The signature is written in a cursive style and is positioned above a thin horizontal line.

David Rosenfeld  
Partner

DR:ls

c James Harnum, Vlad Calina – Koskie Minsky LLP  
Robert Thornton - Thornton Grout Finnigan LLP  
Jeremy Dacks – Osler, Hoskin & Harcourt LLP  
Paul Bishop – FTI Consulting Canada Inc.

*THIS IS EXHIBIT "D" REFERRED TO IN THE  
AFFIDAVIT OF VLAD ANDREI CALINA  
SWORN BEFORE ME, THIS 1<sup>ST</sup> DAY OF JUNE, 2022*



---

*A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.*



**Lori Seto**

---

**From:** Wasserman, Marc <MWasserman@osler.com>  
**Sent:** May 31, 2022 2:33 PM  
**To:** David Rosenfeld; Rosenblat, Dave  
**Cc:** Dacks, Jeremy; RThornton@tgf.ca; Bishop, Paul; James Harnum; Vlad Calina; Sara Starr; Lori Seto  
**Subject:** RE: Just Energy Meetings Order Motion

Thank you for your letter. Our position has not changed and we will not be providing this information as it is not relevant to the Meetings Order. If you would still like to cross examine Mr. Carter, it will not be by video conference and Mr. Carter will be here in person in our office. Accordingly, he will need to travel this afternoon to be available. You are more than welcome to be on video if you so choose. Unless we hear from you by 3pm today, Mr. Carter will not be made available to be cross examined.

Marc Wasserman

**OSLER**

**Marc Wasserman**  
Office: 416.862.4908 | Mobile: 416.904.3614 | MWasserman@osler.com  
Osler, Hoskin & Harcourt LLP | [osler.com](http://osler.com)

---

**From:** David Rosenfeld <drosenfeld@kmlaw.ca>  
**Sent:** Tuesday, May 31, 2022 2:19 PM  
**To:** Rosenblat, Dave <drosenblat@osler.com>  
**Cc:** Wasserman, Marc <MWasserman@osler.com>; Dacks, Jeremy <JDacks@osler.com>; RThornton@tgf.ca; Bishop, Paul <Paul.Bishop@fticonsulting.com>; James Harnum <jharnum@kmlaw.ca>; Vlad Calina <vcalina@kmlaw.ca>; Sara Starr <sstarr@kmlaw.ca>; Lori Seto <lseto@kmlaw.ca>  
**Subject:** RE: Just Energy Meetings Order Motion

Please see attached correspondence

**KOSKIE  
MINSKY**  
JUSTICE MATTERS

**David Rosenfeld \***

**Partner**

T: +1 416-595-2700 | F: +1 416-204-2894 | E: [drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)

Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3

[kmlaw.ca](http://kmlaw.ca)

*\* Practising through a professional corporation*

---

**From:** Rosenblat, Dave <[drosenblat@osler.com](mailto:drosenblat@osler.com)>  
**Sent:** May 31, 2022 11:17 AM  
**To:** David Rosenfeld <[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)>

Cc: Wasserman, Marc <[MWasserman@osler.com](mailto:MWasserman@osler.com)>; Dacks, Jeremy <[JDacks@osler.com](mailto:JDacks@osler.com)>; [RThornton@tgf.ca](mailto:RThornton@tgf.ca); Bishop, Paul <[Paul.Bishop@fticonsulting.com](mailto:Paul.Bishop@fticonsulting.com)>; James Harnum <[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)>; Vlad Calina <[vcalina@kmlaw.ca](mailto:vcalina@kmlaw.ca)>; Sara Starr <[ssarr@kmlaw.ca](mailto:ssarr@kmlaw.ca)>

**Subject:** RE: Just Energy Meetings Order Motion

Please see correspondence attached, which is sent on behalf of Marc Wasserman.



**Dave Rosenblat**

Partner

Office: 416.862.5673 | Mobile: 416.937.6206 | [drosenblat@osler.com](mailto:drosenblat@osler.com)

Osler, Hoskin & Harcourt LLP | [osler.com](http://osler.com)

**From:** David Rosenfeld <[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)>

**Date:** May 30, 2022 at 9:26:50 PM EDT

**To:** "Wasserman, Marc" <[MWasserman@osler.com](mailto:MWasserman@osler.com)>, [rthornton@tgf.ca](mailto:rthornton@tgf.ca)

**Cc:** James Harnum <[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)>, Vlad Calina <[vcalina@kmlaw.ca](mailto:vcalina@kmlaw.ca)>, Sara Starr <[ssarr@kmlaw.ca](mailto:ssarr@kmlaw.ca)>

**Subject:** RE: Just Energy Meetings Order Motion

<corrected email address for Mr. Thorton>

Counsel,

Please see attached correspondence.

Regards,

---

**David Rosenfeld \***

Partner

T: +1 416-595-2700 | F: +1 416-204-2894 | E: [drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)

Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3

[kmlaw.ca](http://kmlaw.ca)

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***THIS IS EXHIBIT "E" REFERRED TO IN THE  
AFFIDAVIT OF VLAD ANDREI CALINA  
SWORN BEFORE ME, THIS 1<sup>ST</sup> DAY OF JUNE, 2022***

A handwritten signature in black ink, appearing to read "L. J. ...", written over a horizontal line.

---

***A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.***

**Lori Seto**

---

**From:** David Rosenfeld  
**Sent:** May 31, 2022 2:54 PM  
**To:** Wasserman, Marc; Rosenblat, Dave  
**Cc:** Dacks, Jeremy; RThornton@tgf.ca; Bishop, Paul; James Harnum; Vlad Calina; Sara Starr; Lori Seto  
**Subject:** RE: Just Energy Meetings Order Motion

Given your statement of position, we will not be conducting an oral cross-examination.

Regards,

---

**From:** Wasserman, Marc <MWasserman@osler.com>  
**Sent:** May 31, 2022 2:33 PM  
**To:** David Rosenfeld <drosenfeld@kmlaw.ca>; Rosenblat, Dave <drosenblat@osler.com>  
**Cc:** Dacks, Jeremy <JDacks@osler.com>; RThornton@tgf.ca; Bishop, Paul <Paul.Bishop@fticonsulting.com>; James Harnum <jharnum@kmlaw.ca>; Vlad Calina <vcalina@kmlaw.ca>; Sara Starr <sstarr@kmlaw.ca>; Lori Seto <lseto@kmlaw.ca>  
**Subject:** RE: Just Energy Meetings Order Motion

Thank you for your letter. Our position has not changed and we will not be providing this information as it is not relevant to the Meetings Order. If you would still like to cross examine Mr. Carter, it will not be by video conference and Mr. Carter will be here in person in our office. Accordingly, he will need to travel this afternoon to be available. You are more than welcome to be on video if you so choose. Unless we hear from you by 3pm today, Mr. Carter will not be made available to be cross examined.

Marc Wasserman



**Marc Wasserman**  
Office: 416.862.4908 | Mobile: 416.904.3614 | [MWasserman@osler.com](mailto:MWasserman@osler.com)  
Osler, Hoskin & Harcourt LLP | [osler.com](http://osler.com)

---

**From:** David Rosenfeld <[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)>  
**Sent:** Tuesday, May 31, 2022 2:19 PM  
**To:** Rosenblat, Dave <[drosenblat@osler.com](mailto:drosenblat@osler.com)>  
**Cc:** Wasserman, Marc <[MWasserman@osler.com](mailto:MWasserman@osler.com)>; Dacks, Jeremy <[JDacks@osler.com](mailto:JDacks@osler.com)>; [RThornton@tgf.ca](mailto:RThornton@tgf.ca); Bishop, Paul <[Paul.Bishop@fticonsulting.com](mailto:Paul.Bishop@fticonsulting.com)>; James Harnum <[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)>; Vlad Calina <[vcalina@kmlaw.ca](mailto:vcalina@kmlaw.ca)>; Sara Starr <[sstarr@kmlaw.ca](mailto:ssstarr@kmlaw.ca)>; Lori Seto <[lseto@kmlaw.ca](mailto:lseto@kmlaw.ca)>  
**Subject:** RE: Just Energy Meetings Order Motion

Please see attached correspondence



David Rosenfeld \*

Partner

T: +1 416-595-2700 | F: +1 416-204-2894 | E: [drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)

Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3

[kmlaw.ca](http://kmlaw.ca)

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**From:** Rosenblat, Dave <[drosenblat@osler.com](mailto:drosenblat@osler.com)>

**Sent:** May 31, 2022 11:17 AM

**To:** David Rosenfeld <[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)>

**Cc:** Wasserman, Marc <[MWasserman@osler.com](mailto:MWasserman@osler.com)>; Dacks, Jeremy <[JDacks@osler.com](mailto:JDacks@osler.com)>; [RThornton@tgf.ca](mailto:RThornton@tgf.ca); Bishop, Paul <[Paul.Bishop@fticonsulting.com](mailto:Paul.Bishop@fticonsulting.com)>; James Harnum <[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)>; Vlad Calina <[vcalina@kmlaw.ca](mailto:vcalina@kmlaw.ca)>; Sara Starr <[sstarr@kmlaw.ca](mailto:sstarr@kmlaw.ca)>

**Subject:** RE: Just Energy Meetings Order Motion

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Dave Rosenblat

Partner

Office: 416.862.5673 | Mobile: 416.937.6206 | [drosenblat@osler.com](mailto:drosenblat@osler.com)

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**From:** David Rosenfeld <[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)>

**Date:** May 30, 2022 at 9:26:50 PM EDT

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**Cc:** James Harnum <[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)>, Vlad Calina <[vcalina@kmlaw.ca](mailto:vcalina@kmlaw.ca)>, Sara Starr <[sstarr@kmlaw.ca](mailto:sstarr@kmlaw.ca)>

**Subject:** RE: Just Energy Meetings Order Motion

<corrected email address for Mr. Thorton>

Counsel,

Please see attached correspondence.

Regards,

---

**David Rosenfeld \***

**Partner**

T: +1 416-595-2700 | F: +1 416-204-2894 | E: [drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)

Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3

[kmlaw.ca](http://kmlaw.ca)

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IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c.  
C-36, AS AMENDED

21

Court File No.: CV-21-00658423-00CL

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF JUST  
ENERGY GROUP INC., *et al.*

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at TORONTO

**SUPPLEMENTAL AFFIDAVIT OF VLAD  
ANDREI CALINA  
(AFFIRMED JUNE 1, 2022)**

**KOSKIE MINSKY LLP**  
900-20 Queen Street West  
Toronto, ON M5H 3R3

**David Rosenfeld** LSO #51143A  
Tel: 416-595-2700 / Fax: 416-204-2894  
[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)

**Aryan Ziaie** LSO #70510Q  
Tel: 416-595-2104 / Fax: 416-204-2815  
[aziaie@kmlaw.ca](mailto:aziaie@kmlaw.ca)

**James Harnum** LSO #60459F  
Tel: 416-542-6285 / Fax: 416-204-2819  
[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)

**Counsel for Haidar Omarali in his capacity as  
Representative Plaintiff *Omarali v. Just Energy***

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF JUST ENERGY  
GROUP INC., *et al.*

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at TORONTO

**SUPPLEMENTARY RESPONDING MOTION RECORD  
OF HAIDAR OMARALI  
IN HIS CAPACITY AS REPRESENTATIVE PLAINTIFF in  
*OMARALI v. JUST ENERGY*  
(Motion for Authorization Order, Meetings Order,  
Stay Extension and Other Relief)  
(returnable June 7, 2022)**

**KOSKIE MINSKY LLP**

900-20 Queen Street West  
Toronto, ON M5H 3R3

**David Rosenfeld** LSO #51143A

Tel: 416-595-2700 / Fax: 416-204-2894  
[drosenfeld@kmlaw.ca](mailto:drosenfeld@kmlaw.ca)

**Aryan Ziaie** LSO #70510Q

Tel: 416-595-2104 / Fax: 416-204-2815  
[aziaie@kmlaw.ca](mailto:aziaie@kmlaw.ca)

**James Harnum** LSO #60459F

Tel: 416-542-6285 / Fax: 416-204-2819  
[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)

**Counsel for Haidar Omarali in his capacity as  
Representative Plaintiff *Omarali v. Just Energy***