

**HIRTLE LEGAL SERVICES INC.**

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BY FAX: 424-3919

July 7, 2008

Elaine Wagner  
Nova Scotia Utility and Review Board  
P.O. Box 1692, Unit "M"  
Halifax, Nova Scotia  
B3J 3S3

RECEIVED  
JUL - 7 2008

Nova Scotia  
Utility and Review Board

RE: Riverport Electric Light Commission and Dean Schmeisser - Rate Group Dispute  
E-RIV-C-08

Dear Ms. Wagner,

I write this correspondence further to your correspondence to me of July 4, 2008.

In reviewing your correspondence, which was received in my office by fax at 11:22 a.m. on July 4, the comments in your letter, presuppose that myself and my client would not be filing information with the Board prior to 4:30 p.m. on that date. I attempted to file my answers to the information requests of the Riverport Electric Light Utility with both the Board and the Utility by fax at 3:48 p.m. on July 4. In reviewing the fax transmission sheet, prior to dictating this correspondence, I note that both the transmission to the Board as well as to the Commission, were unsuccessful. I am enclosing herewith a copy of the fax transmission sheet which shows this attempted transmission. I am also enclosing herewith copies of the complete fax which my office attempted to send at 3:48 p.m. including the fax cover sheet therefore.

Quite frankly, I was waiting until late in the day to forward my response in the hope that I would have had the information from my client with respect to the Board's information request so that I could have filed all information at once. When I was not in possession of this information, I attempted to forward to the Board what I was in possession of.

You comment that in order to ensure a fair hearing, the filing deadlines must be adhered to, in reviewing my fax transmission records, as well as the orders with the filing deadlines from

the Board, I note that the Board's information requests were due on June 27, 2008. I note my fax transmission records indicate that the Board's information request, which was in a letter dated June 27, 2008, was actually faxed to my office at 9:40 a.m. on June 30, 2008. I would also note, that I was out of the office on June 30, 2008 for the Canada Day long weekend, and returned to the office on the afternoon of Wednesday, July 2, 2008, as I had a court commitment in the morning. In reviewing my correspondence I noted the Board's correspondence and accordingly dictated correspondence to you dated July 3 which was faxed to you on July 4. Because of the long weekend and because of the fact that I received the Board's information request on Monday instead of Friday, I was left with an extremely short period of time to gather Mr. Schmeisser answers.

I would also note as in previous correspondence to the Board, the answers to the information requests of Mr. Schmeisser to the Riverport Electric Light Commission were dated the day after they were due and were only forwarded to me two days after they were due.

I am also forwarding to the Board under separate cover and copied to the Engineer as well as the Riverport Electric Light Commission, Mr. Schmeisser responses to the Board's information requests which were obtained by myself from Mr. Schmeisser over the weekend.

I trust the foregoing to be satisfactory.

Yours very truly,  
HIRTLE LEGAL SERVICES INC.



David B. Hirtle

DRH/vlw  
Encl.

## MULTI TRANSMISSION REPORT

TIME : 07-04-'08 15:48  
FAX NO.1 : 902-634-8943  
NAME : HIRTLE LEGAL SERVICE

FILE NO. : 013  
DATE : 07.04 15:36  
DOCUMENT PAGES : 4  
START TIME : 07.04 15:36  
END TIME : 07.04 15:48  
SUCCESSFUL

## UNSUCCESSFUL

FAX NUMBER

819024243919

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PAGES SENT

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**FACSIMILE COVER PAGE**

DATE: July 4, 2008  
TO: Valerie Romkey  
FAX: 766-4890  
TO: Elaine Wagner  
FAX: 424-3919  
FROM: David R. Hirtle  
OPERATOR: Angie  
NUMBER OF PAGES INCLUDING COVER: 4  
COMMENTS:

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