



Mackenzie Valley Land and Water Board
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Re: Scope of the Taltson Compensation Re-Hearing

On May 11, 2017, counsel for the Carters requested direction from the Board as to the scope of evidence that it will consider at the Re-Hearing, and specifically whether the Board will limit its consideration to evidence that would have been available in 2012. Counsel for the NTPC says that the request should not be considered because it is coming too late in time prior to the start of the Re-Hearing (May 16-17, 2017).

The issue to be addressed at the Re-Hearing is the Carter's claim for compensation in relation to the NTPC's 2011 application for the renewal of a Type A Water Licence. Public hearings in relation to that application were held in 2012. The Licence was issued and upheld on Judicial Review.

The Board has left it to the parties to determine the scope and nature of the evidence they wish to introduce to prove or dis-prove their respective positions on the issue to be addressed. The Board has not imposed or suggested any limits in this regard, recognizing that the scope of what is relevant as evidence may itself be a live issue between the parties. The parties are free to object to evidence being advanced by the other party, or to make submissions regarding the weight to be attached to any evidence. The parties may address evidentiary issues at the Re-Hearing. The parties are encouraged, in the meantime, to resolve the issue between them so the Re-Hearing can proceed efficiently.

If you have any questions or concerns regarding these matters please contact Shannon Allerston via email at sallerston@mvlwb.com.

A handwritten signature in blue ink, appearing to read "Mavis Cli-Michaud".

Mavis Cli-Michaud
Chair, MVLWB