

From: [Barry Appleton](#)
To: [Jose Luis Aragon Cardiel](#); [Cavinder Bull@drewnapier.com](#); [dbishop@kslaw.com](#); [dbethlehem@twentysex.com](#); [Diana Pyrikova](#)
Cc: [heather.squires@international.gc.ca](#); [Benjamin.Tait@international.gc.ca](#); [Ed Mullins](#); [Mark.Klaver@international.gc.ca](#); [Stefan.Kuuskne@international.gc.ca](#); [Krystal.Girvan@international.gc.ca](#); [Alexandra.Dosman@international.gc.ca](#); [Tennant Claimant](#)
Subject: PCA Case No. 2018-54 - Tennant Energy LLC v Canada
Date: 01 March 2022 23:23:01

Dear Mr. Aragon Cardiel

While we await the return of Mr. Tait on March 4, the Investor can confirm that it does not assert any confidentiality designations over the transcripts other than the one agreed-upon redaction at Day 2, p. 126.

The Investor has made no confidentiality designations to the Investor's Post Hearing Brief. Canada has not filed any confidentiality designation to the Investor's Post Hearing Brief. It would appear that the PCA could post the Investor's Post Hearing Brief to its website.

To be clear, concerning the hearing video, the Investor makes no confidentiality assertion over information in the hearing video that may be seen in slides.

As a result, it would appear that subject to the agreed redaction noted above, the remainder of the hearing video would be available for release to the general public. Further, any information that can be visible in slides in the video presents no issue with posting the audio record of the hearing.

For greater certainty, the Investor supports the posting of the audio and the video from the jurisdictional hearing (subject to the one exceedingly small confidentiality designation raised in the communication from the Government of Canada at Day 2, p. 126).



Barry Appleton, FCI Arb, LL.M, JD

Managing Partner

Appleton & Associates International Lawyers LP

Tel 416.966.8800 • Fax 416.966.8801

bappleton@appletonlaw.com • www.appletonlaw.com

121 Richmond St. W, Suite 304, Toronto, Ontario • M5R 2K1