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**Subject:** RE: PCA Case No. 2018-54 - Tennant Energy LLC v Canada  
**Date:** 09 March 2022 00:25:40

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Dear Mr. Aragon Cardiel,

Thank you for your indulgence granted to the parties regarding designations to the video recordings of the Hearing on Jurisdiction in November 2021.

Canada confirms that the Hearing videos contain certain additional confidential information of Canada, and that this information would not be reflected in the current transcripts. We continue discussions with the Claimant to find agreement on these designations to the Hearing videos.

In addition, Canada requests leave from the Tribunal to submit a very limited number of additional confidentiality designations to the Hearing transcripts. For background, as requested Canada promptly reviewed the Hearing videos for any additional confidential information that may not be reflected in the Hearing transcripts. Upon further review of the Hearing videos, Canada became aware of a very limited number of additional confidentiality designations in the Hearing transcripts that were inadvertently missed initially. Forthwith, Canada reached out to the Claimant on March 4<sup>th</sup> for agreement on these additional proposed Hearing transcript designations, as well as the time stamps of the Hearing videos that Canada proposed to redact, pursuant to paragraph 17 of the Confidentiality Order. Canada requested a response from the Claimant by COB March 7<sup>th</sup>, but the Claimant has provided no response. Given that these Hearing transcripts are currently published on the PCA website, Canada would like to rectify this situation as quickly as possible.

Finally, Canada notes that it does have proposed confidentiality designations to make to the Claimant's Post-Hearing Submission of December 17, 2021, which were communicated to the Claimant on January 28<sup>th</sup>. We continue discussions with the Claimant to find agreement on these designations.

Kind regards,

**Krystal Girvan**  
Paralegal / parajuriste  
(she/elle)

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