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Subject: PCA Case No. 2018-54: Tennant Energy, LLC (U.S.A.) v. Government of Canada

Dear Mesdames, dear Sirs,

I write on behalf of the Tribunal in the above-referenced matter.

The Tribunal acknowledges receipt of the Parties' submissions dated 9 October, 29 October, 12 November, and 14 November 2019, regarding the Respondent's proposed Confidential Information designations in its Response to the Claimant's Request for Interim Measures, and exhibits R-021 and R-022.

The Tribunal notes that paragraphs 16 and 17 and Schedule 1 of the Confidentiality Order dated 24 June 2019 set forth a procedure by which a Party may propose certain Confidentiality or Restricted Access designations, the other Party may object to such designations, and the filing Party may then respond to such objections. The Tribunal considers that each of these steps have been fulfilled by the Parties' submissions dated 9 October, 29 October, 12 November 2019. The Tribunal does not require any further submissions from the Parties.

In accordance with paragraph 17 and Schedule 1 of the Confidentiality Order, therefore, the Parties are now to "attempt to reach an agreement on the objected designations." If no such agreement is made within 21 days of the Respondent's response, *i.e.* 3 December 2019, the Parties are to jointly submit the Disputed Designations Schedule to the Tribunal for resolution.

Until such submission is made by the Parties, the Tribunal understands that there is no pending application before it, and will not take any decision in respect of the Respondent's proposed designations.

Yours sincerely,  
Christel Y. Tham

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