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File No. SM1667-85

October 4, 2024

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Dear Ms. McKenna:

Re: Island Regulatory and Appeals Commission (“Commission”) PD527 – New Retail Gasoline Outlet Application – D.P. Murphy – June 27, 2023

Now that Ceretti’s Grocery and Hardware Ltd. (“Ceretti’s”) has provided its response to the procedural questions of the Commission - with respect to experts, witnesses, and the time required for a hearing, D.P. Murphy Inc.’s asks that the Commission proceed with setting a timeline for the steps required to have this application considered on its merits.

Howatt’s Tourist Mart Ltd. (“Howatt’s”) did not respond to the procedural questions set out in the Commission’s July 2, 2024 correspondence, despite Howatt’s having asked for and having been granted an additional extension of time to respond to the Commission’s questions.

D.P. Murphy Inc. can advise that it does not intend on filing a rebuttal to Ceretti’s expert reports. If the Commission determines a hearing is necessary, D.P. Murphy Inc. can be ready for the hearing as early as 14 days after Ceretti’s expert reports are filed with the Commission. We note that Ceretti’s September 26, 2024 correspondence says it expects that its expert reports will be available for filing with the Commission within the next 90 days. However, D.P. Murphy Inc. suggests that 60 days from September 26, 2024 is a fair and reasonable timeline for the filing of such expert reports, given that Ceretti’s has had notice of D.P. Murphy Inc.’s intention to call an expert since June 24, 2024.

Should there be any further information that D.P. Murphy Inc. can provide now, that will assist with the prompt consideration of this application, please do not hesitate to contact me.

Yours truly,

STEWART MCKELVEY

Hilary A. Newman

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