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BY EMAIL and COURIER

October 13, 2009

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2008-0272
Hydro One Transmission 2009/2010 rate proceeding

We are writing, on behalf of our client, the School Energy Coalition, in response to the two questions posed by the Board in Procedural Order #6 in the above-captioned proceeding, namely, whether parties intend to file evidence and whether they believe an oral hearing is required.

SEC does not intend to file evidence.

On the second question, SEC believes that an oral hearing is not required. However, SEC agrees with the submissions of Mr. Thompson on behalf of CME that Hydro One should be directed to answer questions posed to it by CME at Exhibit I, Tab 9S, Schedule 9.

Hydro One's response to CME's request was that the questions are beyond the scope of the supplementary evidence. SEC submits, however, that the scope of the supplementary evidence is framed by the original issues list in the proceeding, one of which (Issue 4.3) was "Are the amounts proposed for rate base in 2009 and 2010 appropriate?" Rate base is, of course, partially a function of current year capital expenditures. Moreover, it has been generally accepted in past cases before the Board that the most current information available should be used to determine the forward test year revenue requirement. In our view, therefore, CME's questions appropriately probe whether the revised 2010 rate base sought by Hydro One is appropriate, and should be answered.

All of which is respectfully submitted.

Yours very truly,

SHIBLEY RIGHTON LLP

**GREAT LAKES
LAW**



Original signed

John De Vellis
Encl.

c.c. (email only): Interested parties