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December 16, 2009

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: Yellow Falls Power Limited Partnership
Application for Leave to Construct a Transmission Line
Board File No. EB-2009-0120

Decision and Order – December 16, 2009

Thank you for the Decision and Order of the Board of today's date.

I write to convey the concern of my client the Wabun Tribal Council with the very short time frame, having regard to the holiday season, provided by the Board for the Council to file its cost claim. Under the Order, the claim is to be filed in Toronto and copied to parties by Tuesday, December 29, 2009. Given the filing requirements from Timmins, where my client's office is located, the claim would have to be in the hands of a courier by at the latest one week from tomorrow, December 24.

However, a waiver of the hard copy requirement would not address the difficulty for my client. As you will appreciate, the office of the Council is not large, and in fact the only person with sufficient knowledge of this file to complete the claim, including the required affidavit, is Mr. Jason Batise, Technical Services Advisor. Mr. Batise called me this morning immediately on receipt of the Decision and Order to explain that he was committed to leaving at noon today for Montreal, where he will be on business for the rest of this week. The Council office will close for Christmas vacation this Friday, and will reopen Monday, January 4, 2010. Regrettably, it will simply not be possible for my client to comply with the Board's Order

This is therefore to respectfully request an extension of time for the filing of the Council's cost claim until Friday, January 8, 2010, together with a waiver of the hard copy filing such that the hard copy would be provided to the courier that day, with promptest available arrival in Toronto, Guelph and Fergus. Other dates in the Order would have to be adjusted accordingly.

It does not appear that any party would be disadvantaged by this request being granted, and it is realistically the only way that the claim of the Wabun Tribal Council can be properly completed and filed. In fact, I have spoken with Ms. Wong, who has very kindly indicated that she has no objection to this request being granted. I attempted to reach Mr. McLeod, who represents the Taykwa Tagamou Nation, but was only able to leave a voice mail explaining my intention.

The Board's consideration of this request will be most appreciated.

Yours truly,

[Original signed by John Edmond]

John Edmond

c.c. Mr. Nabih Mikhail, Case Manager

Mr. Jason Batise, Wabun Tribal Council

Mr. Scott Hossie, Canadian Hydro Developers, Inc.

Ms. Sharon Wong, Blake, Cassels & Graydon LLP

Mr. Merv McLeod, McLeod Wood Associates Inc.