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BY EMAIL

January 8, 2010
Our File No. 2010022

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2008-0272 H1 Tx 2010 Motion for Review filed January 5, 2010

We are counsel for the School Energy Coalition in this proceeding. On January 5, 2010 the Applicant Hydro One filed a Motion for Review of the Board's decision dated December 16, 2009 in this matter.

We are writing this letter to ask that the Board seek submissions under Section 45.01 of the Rules of Practice and Procedure on whether the Motion meets the threshold test, before the Board considers the motion on its merits. While we are aware that the Board often has such an initial step, that is not always the case. We wanted to alert the Board that the School Energy Coalition, and perhaps other parties, will be taking the position that this is not an appropriate subject for a Rule 42.01 Motion, and therefore we would like to have an opportunity to make submissions on the threshold question.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.

Jay Shepherd

cc: Bob Williams, SEC (email)
Wayne McNally, SEC (email)
Interested Parties (email)

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