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Delivered by Email

Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
2300 Yonge Street,
Ste. 2701
Toronto ON M4P 1E4

Dear Ms. Walli

**Re: Toronto Hydro-Electric System Limited – EDR 2011
EB-2010-0142**

In response to the November 19, 2010 correspondence from CUPE Local One's counsel, THESL is generally strongly concerned that timelines of an application set by the Board be observed all parties. However, THESL acknowledges that extenuating and unanticipated circumstances can occur which on a case-by-case basis can make adherence to deadlines difficult.

In the circumstances of CUPE Local One's request, THESL notes CUPE Local One's undertaking to provide its interrogatories by Tuesday November 23, and the fact that it is placed in circumstances that appear to be unanticipated, unusual, and unlikely to be repeated. Furthermore, the proceeding itself is at a relatively early stage and the 'critical path' of the proceeding is, in THESL's view, unlikely to be affected. Given these factors, THESL is prepared to accommodate moderately late receipt of interrogatories in this instance. THESL does not generally consent to late delivery of interrogatories.

Yours very truly,

BORDEN LADNER GERVAIS LLP

original signed by Mark Rodger

J. Mark Rodger

Encl.

copy to:

Pankaj Sardana, Toronto Hydro-Electric System Limited
Kristi Seblj, OEB counsel
Stephanie Hobbs, CUPE Local One counsel

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