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BY E-MAIL

January 23, 2015

All Parties:

**Re: Toronto Hydro-Electric System Limited (THESL)
Custom IR Application EB-2014-0116**

The Board has received correspondence from the School Energy Coalition (SEC) and the Canadian Electricity Association (CEA) with respect to a motion filed by SEC on December 19, 2014. By way of background SEC filed a Notice of Motion with the Board requesting an order requiring THESL to provide a full and adequate response to interrogatory 1B-SEC-8 and more specifically to produce benchmarking documents that THESL has participated in through the Canadian Electricity Association (CEA) (the SEC Motion).

On January 10, 2015, the CEA filed a late intervention request with respect to the SEC Motion on the basis that the SEC Motion seeks to compel the disclosure and reproduction by THESL effectively of confidential benchmarking data and reports and data models owned by CEA. On January 14, 2015 the CEA filed a Notice of Constitutional Question. By way of Procedural Order No. 6 the Board ordered the CEA to file any materials related to the SEC Motion by Wednesday January 21, 2015. In addition PO 6 ordered parties wishing to file submissions on any CEA motion material to do so by Monday January 26, 2015. The Reply submissions, if any, of the CEA are to be filed by Wednesday January 28, 2015.

In its correspondence to the Board dated January 20, 2015, SEC stated that the current procedural schedule established by the Board for submissions on the SEC Motion results in procedural unfairness as there is no opportunity for SEC to file a Reply submission to submissions filed in response to the SEC Motion. The Board disagrees as the current schedule does allow for SEC to file a Reply to the CEA response to its motion on January 26th, 2015, albeit the Board recognizes this is the same date that other parties can file submissions in response to the CEA cross motion.

The CEA can respond to any submissions on its cross motion on January 28th, 2015. Further, the Board notes that all parties will have the opportunity to provide submissions on the two motions at the oral hearing scheduled for the motions on January 30, 2015. The Board therefore confirms the dates set out in Procedural Order No. 6.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary

c: Parties to EB-2014-0116 proceeding