

February 27, 2009

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

Via RESS, email to BoardSec@oeb.gov.on.ca, and by courier

Dear Board Secretary:

**Re: Board Files No: EB-2007-0905; EB-2008-0380
Notice of Motion by Ontario Power Generation Inc (OPG) to Review and Vary the
Board's Decision on Payment Amounts for OPG's Prescribed Facilities**

The Electricity Distributors Association (EDA) is the voice of Ontario's local distribution companies (LDCs). The EDA represents the interests of over 80 publicly and privately owned LDCs in Ontario.

The EDA has reviewed OPG's Notice of Motion submitted to the Board on January 28, 2009 for a Review and Variance of the November 3, 2008 EB-2007-0905 Decision With Reasons. The EDA was an intervenor in that proceeding, and believes that the grounds for the motion listed at serial 1 (c) and 2 merit consideration.

Consequently, the EDA respectfully submits that the Board should exercise its powers under rule 43 of its "Rules of Practice and Procedure" to conduct a hearing to examine the issue of 'regulatory tax loss and mitigation' in its entirety before making a decision.

Yours truly,

"original signed"

Richard Zebrowski
Vice President, Policy and Corporate Affairs

Copy to: Ontario Power Generation Inc. (Attention: Director, Ontario Regulatory Affairs)
H18 G2, 700 University Avenue, Toronto, ON M5G 1X6

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