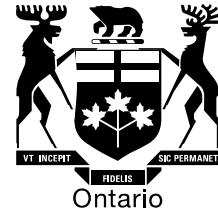


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BY EMAIL

March 3, 2009

Mr. Jay Shepherd
Shibley Righton LLP
250 University Avenue, Suite 700
Toronto, Ontario
M5H 3E5

Dear Mr. Shepherd:

**Re: PowerStream Inc.
Board Files – EB-2008-0335 and EB-2008-0244**

The Board received your letter dated February 6, 2009 wherein you request that the Board grant the School Energy Coalition ("SEC") permission, by way of order, to transfer confidential information filed by PowerStream in EB-2008-0335 to be filed in confidence in the EB-2008-0244 proceeding. The information was filed in confidence in EB-2008-0244 and you signed a Declaration and Undertaking wherein you agreed to promptly return the confidential information, including notes, charts, memoranda, transcripts and submissions based on the confidential information (the "Confidential Information") following the end of the proceeding or destroy such documents.

EB-2008-0335 concluded on December 15, 2008 and all appeal periods have expired. To date you have not complied with the undertaking.

As you are aware, this type of request has been previously considered by the Board. In EB-2005-0011/EB-2005-0437 you brought a motion seeking an order varying a Board "undertaking directive" to allow SEC to use confidential information obtained in a prior proceeding, in a subsequent proceeding. In its Decision and Order the Board stated at page 9:

To allow a party to retain confidential information in circumstances where the confidential information was disclosed subject to a signed undertaking of confidentiality would not only bring into question the credibility and integrity of the board's processes, but may well make access to confidential information more difficult to achieve in the future."

It is on this same basis that the Board denies your request to retain the Confidential Information provided to you after signing the undertaking in this instance. The preservation of the credibility and integrity of Board process is paramount. As such SEC is hereby ordered to return to the Board Secretary a copy of the Confidential Information immediately and destroy any other copies of the Confidential Information and file with the Board Secretary a certification of destruction in the form prescribed by the Board pertaining to the destroyed documents and materials.

If SEC wants access to the confidential information previously filed in EB-2008-0335, it can make the request during the EB-2008-0244 proceeding. The Board will retain a copy of the Confidential Information filed in EB 2008-0335.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

cc: Paula Conboy, PowerStream Inc.
Anne-Marie Reilly, Hydro One Networks Inc.
Bob Williams, School Energy Coalition
David MacIntosh, Energy Probe Research Foundation
Randy Aiken, Aiken & Associates
Tanya Watson, Shibley Righton LLP