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Toronto, March 25, 2009

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
Suite 2700, PO Box 2319  
Toronto, ON, M4P 1E4

Dear Ms. Walli:

**RE: Canadian Niagara Power Inc. – Eastern Ontario Power, Fort Erie, and Port  
Colborne (collectively “CNPI”)  
EB-2008-0222, EB-2008-0223, EB-2008-0224 (collectively the “Applications”)**

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In its Applications, CNPI requested that the Board approve its proposed rates on an interim basis as of May 1, 2009, in the event the Board is unable to provide a Decision and Order for implementation by May 1, 2009.

Because the oral hearing for the Applications commences on April 20, 2009, a May 1, 2009 implementation date will be impossible to achieve. Therefore, we respectfully request that either CNPI's proposed rates be approved on an interim basis as of May 1, 2009, or that CNPI's current rates be made interim as of May 1, 2009.

CNPI has not been responsible for any delays in the proceeding. It filed the Applications on August 15, 2008 in accordance with the Board's filing timelines, and has met all deadlines set out in procedural orders. Therefore, given the circumstances, we submit that CNPI's request is a reasonable one.

Yours very truly,

**Ogilvy Renault LLP**



Andrew Taylor

cc: Doug Bradbury (Canadian Niagara)  
Scott Hawkes (Canadian Niagara)  
All Parties Listed on Intervenor List

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