

April 16, 2009

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Kirsten Walli
Board Secretary
Ontario Energy Board
Suite 2701 - 2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms Walli:

**Re: EB-2008-0046/Electricity Distributors' Deferral and Variance Account Review,
Board Staff Discussion Paper**

We are counsel to the Consumers Council of Canada (Council).

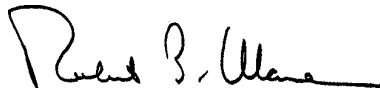
The Council has received a copy of the Board's letter inviting comments on if, when, and how Deferral and Variance Account balances should be disposed of. The Council will be reviewing the Board Staff Discussion paper and will be making written comments. The outcome of the Board's consultation may have an impact on the rates paid by residential consumers of electricity.

Our client is a non-profit, public interest entity which represents the interests of residential consumers of electricity in Ontario.

The Council requests eligibility for Costs. Our client has no funds of its own to support its participation in the consultation. In all of the Board proceedings, including consultative processes, in which our client has participated, it has been found by the Board to be eligible for a cost award. The writer, legal counsel to Council, and Julie Girvan, the Council's consultant, will be participating in the consultation.

Yours very truly,

WeirFoulds LLP



Robert B. Warren

cc: Consumers Council of Canada Attn: Joan Huzar
Julie Girvan
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