

AIRD & BERLIS LLP

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April 21, 2009

Via Email

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Motion of Brant County Power Inc.
Board File No. EB-2009-0063**

Attached to this letter is an email that was sent to Mr. James Sidlofsky, counsel to Brantford Power Inc. and to Mr. Christie Clark this afternoon.

During the preparation for the motion, Brant County Power Inc. ("BCP") has come across an issue regarding the appropriate charges for the Retail Transmission Rates for the Brantford TS (Colborne St. and Colborne St. W). At this point BCP is still investigating the facts and requires certain information from the Independent Electricity System Operator (the "IESO") in order to provide the Board with the evidence to permit a proper decision to be made.

In light of the new issue and the need for information to be gathered from the IESO, BCP submits that it is appropriate to adjourn this Proceeding until such information is available and put into the record. BCP agrees with Brantford that it would be more useful to delay Brantford's submissions, which were to have been submitted on April 21, 2009, pursuant to Procedural Order No. 2 and the submission of the factums, until BCP has been able to obtain the information and to inform the Board and Brantford of such information. BCP will report back to the Board as soon as possible and by the date fixed by the Board for such reporting, if the Board specifies such a date.

Thank you for considering this issue.

Yours very truly,

AIRD & BERLIS LLP



Scott Stoll
SS/ct
5161183.1

Scott Stoll

From: Scott Stoll
Sent: April 21, 2009 4:49 PM
To: 'christie.clark@oeb.gov.on.ca'
Cc: 'jsidlofsky@blgcanada.com'
Subject: Issue - EB-2009-0063

Christie:

Further to our conversation, Brant County Power Inc. ("BCP") has come across an issue in the preparation for this motion. At this point, there is an outstanding issue regarding the appropriate charges for the Retail Transmission Rates for the Brantford TS (Colborne St. and Colborne St. W). At this point BCP is still investigating the facts and requires certain information from the IESO to put forth an accurate picture to the OEB in order that a proper decision can be made.

In light of the new issue and the information to be gathered from the IESO, BCP submits that it is appropriate to adjourn the hearing. BCP agrees with Brantford that it would be more useful to delay Brantford's submissions (scheduled for today pursuant to P.O. 2) and the submission of the factums until BCP has been able to obtain the information and to inform the Board and Brantford of such information. BCP will report back to the Board as soon as possible and by the date fixed by the Board for such reporting, if the Board specifies such a date.

I will follow up this email with a letter. I apologize for not circulating it to the broader group but will attach the email to the letter and will copy the intervenor and the Board secretary on the letter.

Thank you for considering this issue.

Scott Stoll

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