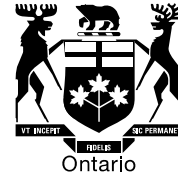


**Ontario Energy
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Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'énergie
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Toronto ON M4P 1E4
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Numéro sans frais: 1-888-632-6273



BY E-MAIL

June 12, 2009

Mr. Tyler Moore
General Counsel and Vice President
ERTH Corporation
200-295 Wolfe Street
London, ON, N6A 2C4

Dear Mr. Moore:

**Re: Application pursuant to subsection 86(2)(a) of the *Ontario Energy Board Act, 1998*
Board File Number EB-2009-0156**

This will acknowledge receipt on May 29, 2009 of your application for leave of the Board to acquire share control in West Perth Power Inc. pursuant to subsection 86(2)(a) of the *Ontario Energy Board Act*.

Your application is currently incomplete and cannot be processed until the following has been filed:

- 2008 audited financial statements for West Perth Power Inc.
- Pro forma financial statements for each of the parties for the first full year following the completion of the proposed transaction

The Board will resume processing your application once the above information has been filed. If the above information is not filed within 30 days of the date of this letter, the Board may close the file for this application.

Upon receipt of the required information, the Board will issue an acknowledgement letter indicating the expected date on which a decision and/or order may be rendered.

Please file two paper copies of the additional material and an electronic version in Word and in searchable Adobe Acrobat (if available) with the Board Secretary. Electronic copies may be submitted on diskette or by e-mail to boardsec@oeb.gov.on.ca.

Please direct any questions relating to this application to Judith Fernandes, Project Advisor at 416-440-7638 or e-mail, Judith.Fernandes@oeb.gov.on.ca.

Yours truly,

Original signed by

John Pickernell
Assistant Board Secretary

cc: Ms. Christine Long, Counsel (Borden Ladner Gervais LLP)
Mr. Wally Curry, West Perth Power Inc.