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June 29, 2009

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Dear Ms Walli

**Proposed Amendments to the Distribution System Code ("DSC")**

**Board File No.: EB-2009-0077**

**Our File: 339583-000003**

A few moments ago, we discovered that we inadvertently failed to seek Cost Award Eligibility in this process on behalf of our client, Canadian Manufacturers & Exporters ("CME").

The deadline for submitting Cost Award Eligibility requests expired 10 days ago, on June 19, 2009. Comments on the Proposed Amendments to the Distribution System Code ("DSC") circulated by the Board on June 5, 2009, are due tomorrow.

We respectfully request that CME be accorded Cost Award Eligibility in this process, despite the expiry of the June 19, 2009 deadline. CME has status in both the EB-2007-0031 and EB-2008-0003 Consultation processes referenced in the June 5, 2009 Notice and, for the reasons it was granted Cost Award status in those processes, it should be eligible for Cost Award status in this process. We submit that no one will be prejudiced by a decision which grants CME such relief.

The Amendments to the DSC which the Board is proposing could cause significant increases in the regulated electricity rates CME members and other electricity consumers pay. We are aware of concerns that other ratepayer representatives will be expressing with respect to these Proposed Amendments and we seek Cost Award status in this process so that we can express our client's support for these concerns.

Please contact me if the Board requires any further information to support this request by CME for Cost Award Eligibility in this process.

Yours very truly

Peter C.P. Thompson, Q.C.

PCT\slc

c. Paul Clipsham (CME)

Vince DeRose

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