

July 13, 2009

RESS and Overnight Courier

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

Dear Ms. Walli:

Re: EB-2009-0174
OPG Application For An Accounting Order Regarding Variance and
Deferral Accounts

In this letter OPG is responding to the correspondence of Mr. Thompson requesting the addition of a technical conference to the schedule proposed in the OEB's June 30, 2009 Procedural Order No. 1. Energy Probe and the School Energy Coalition submitted correspondence supporting this request. OPG's position on this request is that it is premature.

The OEB has already provided for written interrogatories in this matter. Given the limited scope of OPG's application, it seems more than likely that written interrogatories will prove to be adequate for the purpose of the application and that oral evidence at a technical conference will be unnecessary.

OPG's application is essentially for an accounting order to specify the treatment after December 31, 2009 of deferral and variance accounts already approved by the OEB's Payment Amounts Order of December 2, 2008. An application of this kind would not normally even be the subject of interrogatories, much less oral evidence at a technical conference. Given that answers to written interrogatories have already been provided for in Procedural Order No. 1, OPG submits that the need for oral testimony in this matter has not been established.

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In OPG's submission, the more efficient way to proceed would be to await answers to written interrogatories. If CME, Energy Probe or SEC can demonstrate the need for oral evidence at a technical conference following receipt of those answers, the matter can be addressed at that time.

Yours very truly,

[Original signed by]

Barbara Reuber
Director, Ontario Regulatory Affairs

Cc Violet Binette (via email)
Donna Campbell (via email)