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July 20, 2009

BY EMAIL ONLY

Mr. John A. D. Vellone  
Borden Ladner Gervais LLP  
Scotia Plaza, 40 King Street West  
Toronto, Ontario, Canada M5H 3Y4

Dear Mr. Vellone:

**Board File No. EB-2009-0130**  
**Innisfil Hydro Distribution Systems Limited & COLLUS Power Corp.**  
**VECC Motions for Review of Decisions**  
**Energy Probe Comments re Draft Terms of Reference**

Pursuant to your email of July 17, 2009 and accompanying documentation, please find attached the considered comments of Mr. Aiken on behalf of Energy Probe Research Foundation (Energy Probe) for your consideration.

Should you require additional information, please do not hesitate to contact Mr. Aiken.

Yours truly,

David S. MacIntosh  
Case Manager

cc: Randy Aiken, Aiken & Associates (By email)  
Interested Parties (By email)

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## **COMMENTS ON COLLUS & INNISFIL DRAFT TERMS OF REFERENCE**

**1. Both utilities should include a schedule showing the calculation of the resulting reduction in the revenue requirement to verify the figures provided.**

**2. Paragraph 4 in the Terms of Reference:**

**I would suggest changing the wording “any and all cost arising as a result of the VECC motion” to “any and all incremental cost arising solely as a result of the VECC motion”.**

**3. For COLLUS, which made changes to both the fixed and variable charges (which is appropriate), verification from COLLUS that it used the same percentages for cost allocation purposes in determining the new rates in Appendix B as were used to determine the original rates in Appendix A.**

**4. For Innisfil, which only made changes to the variable charges (which is not appropriate), should follow the methodology used by COLLUS (i.e. changes to both the fixed and variable charges) and that verification should be provided that it used the same percentages for cost allocation purposes in determining the new rates in Appendix B as were used to determine the original rates in Appendix A.**

**July 20, 2009**

**Randy Aiken**

**Consultant to Energy Probe**