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BY EMAIL

August 18, 2009

To: All Parties to Proceeding EB-2009-0174

**Re: Ontario Power Generation Inc.
Application for Accounting Order Regarding Deferral and Variance
Accounts**

By letter dated August 10, 2009, the Canadian Manufacturers & Exporters ("CME") has requested that the Board direct OPG to answer CME Interrogatory #1. OPG has refused to answer the interrogatory on the grounds that it is irrelevant to the proceeding. CME maintains that the interrogatory is relevant "to a determination of whether any ratepayer protection conditions should be attached to the Accounting Order relief OPG seeks", namely an Earnings Sharing Mechanism of some type. The School Energy Coalition and Energy Probe Research Foundation have supported CME's request. By letter dated August 12, 2009, OPG confirmed its position that CME Interrogatory #1 is not relevant to the proceeding.

The Board has considered CME's request and has determined that it will not require OPG to answer CME Interrogatory #1.

The interrogatory requests data and calculations related to OPG's revenue requirement for 2010 as well as information on results for 2008 and 2009. The current proceeding is not an examination of OPG's 2010 revenue requirement; rather it is concerned with the ongoing implementation of various Board determinations in the last proceeding relating to deferral and variance accounts, and the ongoing recording of amounts in certain accounts. OPG is not seeking approval of any balances in this proceeding; nor is it seeking disposition of any balances, other than those that have already been approved by the Board.

The current payment amounts remain in place, pursuant to the Board's Order of December 2, 2008, until such time as they are changed, either as a result of OPG filing an application to change the payment amounts, or as a result of the Board initiating a proceeding on its own motion to determine whether the payment amounts remain just and reasonable.

CME may wish to raise at the next payments proceeding the issue of OPG's 2010 results and whether those results should be considered in the disposition of the deferral and variance accounts.

The Board concludes that the data and calculations requested in CME Interrogatory #1 are not required for purposes of the Board rendering a decision on OPG's application.

The original schedule will remain as set out in Procedural Order No.1.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary