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BY FACSIMILE & EMAIL

September 8, 2009

File No.: 100519.1011

Ms. Kirsten Walli
Ontario Energy Board
Yonge-Eglinton Centre
P.O. Box 2319, Suite 2700
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms. Walli:

Re: Smart Metering and Smart Sub-Metering in New Condominiums
Board File No: EB 2009-0308

Please be advised that we have been appointed as Board compliance counsel in this matter.

We have reviewed the recent correspondence from counsel for the proposed intervenors, the Electricity Distributors Association (EDA) and the Smart Sub-Metering Working Group (SSMWG), and from counsel for Toronto Hydro-Electric System Limited (THESL). We have also reviewed THESL's recent motion in regards to production, procedure and scheduling which we understand was filed this past Friday.

It is our view that the EDA's and SSMWG's intervention requests should be decided by the Panel and all the parties to the proceeding determined before matters of production, procedure and scheduling are addressed. Subject to the Panel's views and direction, we therefore suggest that the EDA's and SSMWG's intervention requests be determined before THESL's motion. For purposes of efficiency, we would suggest that the intervention requests be resolved by written hearing. We wish to make written submissions on these intervention requests and we understand THESL's counsel, Mr. Vegh, would like to make submissions as well.

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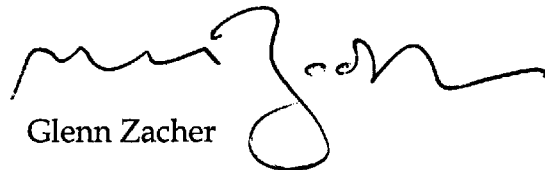
Lastly, we request that all further documents filed with the Board in this proceeding be delivered to us as follows:

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Yours truly,


Glenn Zacher

/sc

cc: Patrick Duffy
Maureen Helt
George Vegh, *Counsel to THESL*
Dennis O'Leary, *Counsel for SSMWG*
Guru Kalyanraman, *EDA*