



SHIBLEY RIGHTON LLP  
*Barristers and Solicitors*

Jay Shepherd  
Direct Line (416) 214-5224  
Direct Fax (416) 214-5424  
jay.shepherd@shibleyrighton.com

TORONTO OFFICE:  
250 University Avenue, Suite 700, Toronto, Ontario, M5H 3E5  
Main 416 214-5200 Toll free 1-877-214-5200  
Facsimile 416 214-5400

WINDSOR OFFICE:  
2510 Ouellette Avenue, Windsor, Ontario, N8X 1L4  
Main 519 969-9844 Toll free 1-866-522-7988  
Facsimile 519 969-8045

www.shibleyrighton.com

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**BY EMAIL**

September 16, 2009  
Our File No. 2090621

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2009-0084 – Cost of Capital Consultation**

We are counsel for the School Energy Coalition. We are writing this letter to express our concern with respect to the limit placed by the Board on the hours to be spent by ratepayer groups in this consultation.

The Board's letter of July 30, 2009 sets out a limit of 12 hours per day for preparation and attendance at the stakeholder consultation. If the consultation goes the full week, that would be a total of 60 hours, of which about 35 hours would be spent in the dialogue itself, and the remaining 25 hours is available for preparation. This level is comparable to that used by the Board in other proceedings, in which it worked fairly well.

The surprisingly high volume of material filed in this matter now makes that limit problematic. With more than 800 pages of new, mostly quite dense and technically complex, material filed in September, on top of a similar volume filed in April, it does not appear to be possible even to read all the material, let alone subject it to thoughtful analysis, in the 25 hours of prep time available. This is, of course, exacerbated by the fact that the utilities are not subject to the same limit, and will undoubtedly be spending much more time than this preparing for this stakeholder conference.

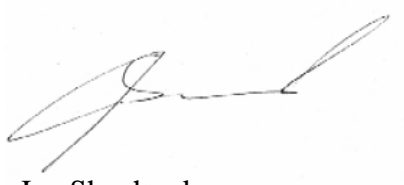
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LAW



Under the circumstances, we would ask the Board to consider increasing the limit on the preparation hours to a level that reflects the unexpected amount of material that has been presented to us for review and analysis.

All of which is respectfully submitted.

Yours very truly,  
**SHIBLEY RIGHTON LLP**

A handwritten signature in dark ink, appearing to read "Jay Shepherd", is written over a light blue rectangular background.

Jay Shepherd

cc: Bob Williams, SEC (email)  
Wayne McNally, SEC (email)  
Interested Parties (email)