

Ontario Energy Board	Commission de l'énergie de l'Ontario	
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**Notice of Application
And
Notice of Written Hearing
Electricity Wholesaler Licence – Merrill Lynch Commodities Canada, ULC
EB-2009-0328**

Merrill Lynch Commodities Canada, ULC has applied to the Ontario Energy Board for an electricity wholesaler licence. The granting of this licence would enable the applicant to wholesale electricity in Ontario.

The application will be decided by an employee of the Board who has been delegated this authority pursuant to section 6 of the *Ontario Energy Board Act, 1998*. The employee does not intend to provide for an award of costs when deciding this application.

How to participate in the hearing

The application will be decided by way of written hearing unless a party satisfies the Board that there is good reason for holding an oral hearing. If you object to a written hearing for this application, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant by October 5, 2009.

If you wish to participate in a written hearing, you must forward three paper copies, and if possible, an electronic copy in Word format and searchable PDF format, of your written submission on the application, to the Board and one copy to the applicant. All submissions must be received by October 7, 2009. If the applicant wishes to respond to the written submissions, such response must be filed with the Board and copied to any party that made submissions by October 14, 2009.

All submissions must quote file number EB-2009-0328 and clearly state the sender's name, postal address, telephone number, fax number and e-mail address. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Information relating to the application is available for viewing at the Board's offices at the address provided below or by contacting the applicant. The address and contact information for the applicant are also provided below.

Further information on how to participate may be obtained by visiting the Board's Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING A WRITTEN SUBMISSION IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

Addresses

The Board

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Board Secretary

Tel: 1-877-632-2727 (toll free)
Fax: 416-440-7656
E-mail: Boardsec@oeb.gov.on.ca

The Applicant

Merrill Lynch Commodities Canada, ULC
20 E. Greenway Plaza Suite 700
Houston, TX USA 77046
Attention: Merida De La Pena

Tel: (713) 544-5932
Fax: (713) 544-5551
Email: merida_delapena@ml.com

DATED at Toronto, September 24, 2009

Ontario Energy Board

Original signed by

Kirsten Walli
Board Secretary