

AIRD & BERLIS LLP

Barristers and Solicitors

Scott Stoll
Direct: 416.865.4703
E-mail: sstoll@airdberlis.com

September 29, 2009

Via Email and Courier

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
27th Floor
2300 Yonge Street
Toronto, ON M5P 1E4

Dear Ms. Walli:

Re: Board File Number EB-2009-0063
Request for Procedural Order to set Schedule for remainder of Proceeding

We are counsel to Brant County Power Inc. ("BCP") in the above-noted matter.

BCP and Brantford Power Inc. ("BPI") would like to first thank the Ontario Energy Board for providing the opportunity for both BCP and BPI to further investigate some of the issues that have arisen as a result of the motion in this proceeding. While the discussions have not been able to finally resolve all the issues to permit a joint proposal to be made to the Ontario Energy Board, the time has provided the parties with an opportunity to have a significant dialogue and to improve our understanding in scoping of the issues.

The parties agree that this matter is best addressed by way of a written hearing, and respectfully request that the Board confirm that it will proceed in this manner. The parties discussed the scheduling of the proceeding and have prepared the tentative schedule set out below, which we ask the Board to consider in issuing the next Procedural.

Description	Date
BCP to update submissions and evidence.	October 16, 2009
BPI to file evidence.	November 5, 2009
Parties, including OEB and any intervenors, may file interrogatories.	November 19, 2009
All parties to file responses to information requests.	December 3, 2009
BCP to file argument.	December 11, 2009
Remaining parties to file reply argument.	December 22, 2009

BCP to file reply argument.

December 30, 2009

Please contact either Scott Stoll (contact information is shown above) or Mr. James Sidlofsky (at 416.367.6277 or jsidlofsky@blgcanada.com) to discuss any of the dates described above.

Yours very truly,

AIRD & BERLIS LLP



Scott Stoll

SS/br

cc: Bruce Noble
James Sidlofsky
All Intervenors
Christie Clark
Luba Cochrane

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