

October 8, 2009

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Kirsten Walli
Board Secretary
Ontario Energy Board
Suite 2701
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms Walli:

**Re: Board File Number: EB-2009-0332
Horizon Utilities Corporation**

We are counsel to the Consumers Council of Canada (the "CCC").

By this letter we are requesting that our client be made an intervenor in the application of Horizon Utilities Corporation ("Horizon") for approval of the recovery of certain amounts related to an unforeseen loss of revenue.

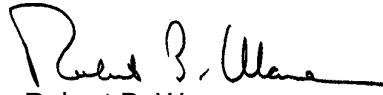
The CCC represents the interests of the broad array of residential consumers of electricity within the service territory of Horizon. The granting of the application will have an impact on the rates paid by those residential consumers. In addition, the application raises important points of regulatory and public policy. The decision of the Board on those policy matters will set a precedent for the way other utilities deal with losses of revenue due to changes in operations of large-use customers. It is, therefore, essential that the interests of residential consumers be represented.

The CCC is a public-interest, non-profit entity which has no revenues of its own to support its intervention. The CCC will, therefore, seek an award of costs at the end of the proceeding.

We would appreciate your having all materials with respect to the proceeding delivered the writer, and to Julie Girvan, the CCC's consultant. Ms. Girvan's contact information is: 2 Penrose Road, Toronto, ON M4S 1P1, telephone: (416) 322-7936, fax: (416) 322-9703, e-mail: jgirvan@ca.inter.net.

Yours very truly,

WeirFoulds LLP

A handwritten signature in black ink, appearing to read "Robert B. Warren", written over a horizontal line.

Robert B. Warren

RBW/dh

cc: J. Huzar
cc: J. Girvan
cc: Horizon Utilities Corporation
cc: James C. Sidlofsky, Borden Ladner Gervais LLP
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