

Aiken & Associates

578 McNaughton Ave. West
Chatham, Ontario, N7L 4J6

Phone: (519) 351-8624
Fax: (519) 351-4331
E-mail: raiken@xcelco.on.ca

October 26, 2009

VIA E-MAIL

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

Dear. Ms. Walli:

RE: EB-2009-0139 Toronto Hydro Electric System Limited 2010 Rates – Comments on Draft Issues List – Building Owners and Managers Association of the Greater Toronto Area

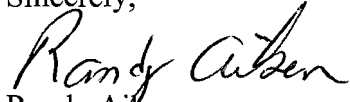
As consultant to the Building Owners and Managers Association of the Greater Toronto Area (BOMA), I am providing comments on behalf of my client on the Draft Issues List attached to P.O. # 1 dated October 19, 2009.

BOMA agrees with the proposed issues list and agrees with the comments provided by Mr. Buonaguro on behalf of his client, VECC, by letter dated October 23, 2009.

BOMA does not intend to file evidence in this proceeding.

BOMA believes it is premature at this point to try and determine which issues should be considered on a written basis and which should be subject to an oral hearing. BOMA believes that as part of the settlement conference parties should consider which unsettled issues should go to the oral hearing and which ones should be dealt with on a written basis.

Sincerely,



Randy Aiken
Aiken & Associates