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October 23, 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
Vulnerable Energy Consumers Coalition (VECC)**

As Counsel to the Vulnerable Energy Consumer's Coalition (VECC), I hereby provide comments on behalf of my clients on the Draft Issues List Attached to P.O. #1.

VECC agrees with the proposed Issues list with one comment-- current THESL applications before the Board (EB-2009-0180-83 Street Lighting Amalgamation and EB-2009- 0243 Contact Voltage Cost Recovery) may require supplementary evidence and have ratemaking implications in 2010.

We therefore assume that the ratemaking implications arising from these cases will be subsumed under the existing issues such as Rate Base, Operating Costs, Asset Condition and Deferral Accounts.

With respect to the matter of which issues should be considered on a written basis and which should be subject to an oral hearing, we submit it is too soon to determine this until the response to interrogatories have been received. VECC respectfully submits that a discussion of what issues need to go to an oral hearing can be had as part of the settlement conference.

Yours truly,

Original signed

Michael Buonaguro
Counsel for VECC