

October 26, 2009

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File: 10606.00011

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

Dear Ms Walli:

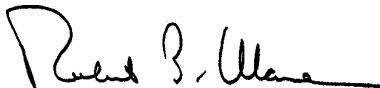
Re: EB-2009-0139 - Toronto Hydro-Electric System Ltd. - 2010 Rates - Issues List

We are Counsel to the Consumers Council of Canada ("Council"). On October 19, 2009, the Ontario Energy Board ("Board") issued Procedural Order No. 1 setting out dates for the Toronto Hydro Electric System Limited's 2010 rates proceeding. The Council has reviewed the proposed issues list, and does not propose any additions or deletions.

The Council does not expect to file evidence in this proceeding, but cannot make a final determination with respect to the filing of evidence until the interrogatory phase has been completed. In addition, we submit that the appropriate time to determine whether issues should be considered through an oral or written process is at the settlement conference.

Yours very truly,

WeirFoulds LLP



Robert B. Warren

RBW/dh

cc: Toronto Hydro-Electric System Ltd.
Mark Rodger
J. Girvan
All Parties