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**Commission de l'énergie de l'Ontario**  
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**BY E-MAIL**

November 13, 2009

Ms. Kirsten Walli  
Secretary  
Ontario Energy Board  
Suite 2700, 2300 Yonge Street  
P.O. Box 2319  
Toronto, ON.  
M4P 1E4

Dear Ms. Walli:

**Re: Canadian Niagara Power Inc. (CNP)  
Application for Leave to Construct  
Transmission Facilities in the Niagara Falls / Fort Erie Area  
Board File Number EB-2009-0283**

Board staff has reviewed CNP's responses to the interrogatories submitted by Hydro One, OPG and Board staff and are of the opinion that additional evidentiary steps are needed to complete the record for this case. These additional steps involve supplemental interrogatories to CNP the IESO and Hydro One who provided input to some of CNP's responses to the original interrogatories.

Board staff's proposed questions relate mainly to the following:

- Analysis and criteria used to establish the need for the project, e.g. need for meet N-1 contingency criterion (CNP and IESO)
- Clarification and explanation of what constitutes "Good Utility practice", e.g., examples of similar situations in the Hydro One system (CNP and Hydro One)
- Identification and analysis of alternatives (including those that do not meet the N-1 contingency criterion), e.g. line upgrades, switching improvements (CNP)

- Cost responsibility for the project (CNP)
- Potential need for environmental assessments (CNP)
- Potential need for further Aboriginal consultation (CNP)

The following schedule is proposed:

Filing of interrogatories:	November 23, 2009
Responses to interrogatories:	November 30, 2009
Submission by CNP:	December 7, 2009
Submissions by intervenors and Board staff:	December 14, 2009
Reply submission by CNP:	December 21, 2009

The above represents a delay of about a month from the schedule contained in Procedural Order No.1

Yours truly,

Original signed by

Robert Caputo  
Project Advisor  
Applications and Regulatory Audit  
Ontario Energy Board

- c. Applicant  
Intervenors