

November 23, 2009

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File 01606.00016

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

Dear Ms Walli:

Re: EB-2008-0381/Account 1562 Deferred PILS

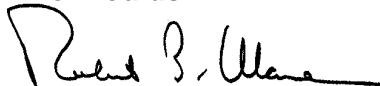
We are counsel to the Consumers Council of Canada in this matter.

In Procedural Order No. 6, dated October 26, 2009, the Board invited parties, who wish to do so, to make submissions on a threshold question with respect to any restrictions which they felt might exist on the Board's ability to make adjustments to account 1562 balances as they existed, and were audited, as of December 31, 2004.

We have read the Board Staff Submission on the threshold question, dated November 13, 2009. On behalf of our client, we adopt that Submission. In particular, we want to underscore the importance of the public interest considerations discussed in the Board Staff Submission.

Yours very truly,

WeirFoulds LLP



Robert B. Warren

RBW/dh

cc: All Parties
cc: J. Girvan
cc: A. Duff
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