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November 26, 2009

**Delivered by E-mail and Courier**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: OEB File No. EB-2009-0063  
Brant County Power Inc. ("BCPI") Review Motion – Ontario Energy  
Board Order for Brantford Power Inc. 2008 Electricity Distribution Rates  
and Charges**

We are counsel to Brantford Power Inc. ("BPI") with respect to the above-captioned matter. We are writing to you today with respect to the timeline for this proceeding.

The timeline was proposed cooperatively by BPI and BCPI, and was accepted by the Board and incorporated into Procedural Order No. 4, issued October 5, 2009 ("P.O. #4"). On November 19, 2009, BPI and BCPI delivered interrogatories to each other in accordance with P.O. #4. Interrogatories directed to BPI and BCPI have also been received from Board Staff and the School Energy Coalition. The remaining elements in this proceeding, as set out in P.O. #4, are as follows:

5. The interrogatory responses are to be filed with the Board no later than Thursday December 3, 2009.
6. Brant County Power Inc. is to file argument-in-chief no later than Friday December 11, 2009.
7. All other parties are to file submissions by Tuesday December 22, 2009.
8. Brant County Power Inc. is to file reply argument no later than Wednesday December 30, 2009.

BPI has begun its work of preparing responses to all interrogatories, but having reviewed the interrogatories directed to it, and in particular the Board Staff interrogatories, BPI must advise the Board that it will require additional time to deliver its responses. The proposed revised timeline, developed in cooperation with BCPI, is set out below.

Vancouver  
•  
Toronto  
•  
Ottawa  
•  
Montréal  
•  
Calgary



In their interrogatories, Board Staff have essentially requested that BPI prepare a new cost allocation study (Part 2 of the interrogatories), redesign its rates, and address potential impacts (Part 5) and implementation (Part 7). In the context of a cost allocation filing or a distribution rate application, these tasks would take a significant period of time to complete. BPI is prepared to produce this material and provide responses to all of the interrogatories directed to it in this proceeding, but will require a brief period of additional time to do so.

BPI therefore respectfully requests that the OEB revise the timeline for the balance of this proceeding as follows. As noted above, this revised timeline has been developed cooperatively with BCPI.

5. The interrogatory responses are to be filed with the Board no later than Thursday December 17, 2009.
6. Brant County Power Inc. is to file argument-in-chief no later than Wednesday December 30, 2009.
7. All other parties are to file submissions by Wednesday January 13, 2010.
8. Brant County Power Inc. is to file reply argument no later than Thursday January 21, 2010.

BPI regrets any inconvenience this may cause, but thanks the Board in advance for its consideration in this regard. Should you have any questions or require further information, please do not hesitate to contact me.

Yours very truly,

**BORDEN LADNER GERVAIS LLP**

*Original Signed by James C. Sidlofsky*

**James C. Sidlofsky**

JCS/ac

Encls.

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