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December 2, 2009

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

via RESS and email

Dear Ms. Walli:

RE: EB-2009-0172: Enbridge Gas Distribution 2010 Rates
Toronto Hydro Request for Late Intervention

Toronto Hydro-Electric System Limited ("THESL") seeks the Board's grant of late intervention status in the above-captioned proceeding.

The Board issued its Notice of Application in this matter September 18, 2009. That Notice specified the timelines and other requirements for interested parties to participate as intervenors in the proceeding, as well as a summary of the other matters that may become issues.

THESL acknowledges and regrets that it did not come to its attention that a matter of significant importance to it may be determined in the proceeding. Specifically, that matter is the regulatory treatment of utility investments in renewable energy generation.

THESL's interest in this proceeding is limited to that issue and THESL will make no submissions otherwise. THESL is directly affected by the outcome of the proceeding in this respect since THESL is a regulated electricity distributor with significant statutory responsibilities under the *Green Energy and Green Economy Act*. The regulatory treatment of utility investments in renewable energy generation is an issue of critical importance to THESL in discharging its responsibilities under that Act, and the related determination in this proceeding could have significant precedential impact for electricity as well as gas distributors. THESL wishes to make submissions in support of the inclusion in rate base of utility investments in renewable generation.

THESL is completely prepared to accept the record of the proceeding as it stands and makes no request for any other procedural alteration. THESL will not be making a claim for any costs. As noted above, THESL's participation in the proceeding will be limited to this subject issue. On this basis THESL believes that the Board's grant of its request for late intervention will neither create undue delay in the proceeding nor prejudice the interests of any existing parties to the proceeding.

Please contact me as indicated below for all matters pertaining to this application.

Yours truly,

(original signed by)

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