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January 6, 2010

BY EMAIL ONLY

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge St, Suite 2701  
Toronto ON M4P 1E4

Dear Ms. Walli:

**Board File No. EB-2009-0271**  
**Oakville Hydro Electricity Distribution Inc. – 2010 Cost of Service Application**  
**Oakville Hydro Request for Adjournment**

Energy Probe has reviewed the correspondence between the Applicant and the Board in respect of the request by Oakville Hydro to secure an adjournment in this proceeding, including the letter to the Board signed by Lesley Gallinger, the Applicant's Chief Financial Officer, dated December 30, 2009 and delivered yesterday.

Based on the new information included in the Applicant's December 30<sup>th</sup> letter, it does appear to Energy Probe that a Settlement Conference commencing January 13<sup>th</sup> would be of little practical value to the parties in this proceeding, given that the financial circumstances of the Applicant are currently unclear.

The scope of the amendments to the current application suggested as required by the Applicant and the pace that it has exhibited during this proceeding, cause Energy Probe to believe that the suggested date of February 18<sup>th</sup> to file an amended application is optimistic.

Energy Probe has been assisted in its assessment of the Applicant's adjournment request by the submissions of the School Energy Board (SEC), as expressed in their letter to the Board yesterday, and Energy Probe fully supports the SEC position as outlined in the last paragraph of that letter.

If, on the other hand, the Board decides to proceed with the schedule listed in Procedural Order No. 3, Energy Probe would require full response to its clarification questions by January 8 in order to contribute positively at the Settlement Conference.

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Should you require additional information, please do not hesitate to contact me.

All of which is respectfully submitted.

Yours truly,



David S. MacIntosh  
Case Manager

cc: Cristina Birceanu, Oakville Hydro Electricity Distribution Inc. (By email)  
James Sidlofsky, Borden Ladner Gervais LLP (By email)  
Peter Faye, Counsel to Energy Probe (By email)  
Randy Aiken, Aiken & Associates (By email)  
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