

January 27, 2010

Kristen Walli
Board Secretary
Ontario Energy Board
P. O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

**Re: Amendment of PowerStream Inc. Distribution Licence and cancellation
of Barrie Hydro Distribution Licence**

Dear Ms Walli

The Board made an oral decision on December 15, 2008 which granted leave to PowerStream and Barrie Hydro to amalgamate (EB-2008-0335). Among the points of relief sought in that proceeding, the application had originally sought an order under Section 74 of the Act amending the distribution licence of PowerStream (ED-2004-0240) and an order under Section 77(5) of the Act cancelling the Barrie Hydro licence (ED-2002-0534). The applicant subsequently amended its application to exclude these two points of relief until such time as the newly merged company was able to move to one net system load shape and become 1 wholesale market participant for settlement purposes and therefore one licence number (See pages and 2 and 124 of Transcript).

PowerStream has moved to one net system load shape as of November 1, 2009 and is using identifier number ED-2004-0240 (PowerStream licence number). As such, PowerStream is seeking an order from the Board under Section 74 of the Act to amend PowerStream distribution licence of (ED-2004-0240) to include Barrie Hydro the service territory outlined in the Barrie Hydro licence ED-2002-0534 and an order under Section 77(5) of the Act cancelling the Barrie Hydro licence ED-2002-0534.

There is no person that will be adversely affected in any way by the outcome of this proceeding. More specifically, the proposal for the timing of rate harmonization within three to five years from the closing date of the proposed transaction as approved in the Board's decision which granted leave to PowerStream and Barrie Hydro to amalgamate is not impacted in any way. The timing of the licence amendment and cancellation was solely for settlement purposes. As with our

previous mergers and acquisitions, this issue, we would submit, is simply a "housekeeping matter". As such, PowerStream is requesting that the Board dispose of a proceeding under section 21(4) of the *Ontario Energy Board Act, 1998*.

Yours truly,



Sarah Griffiths

Manager, Regulatory and Government Affairs