Barristers & Solicitors Patent & Trade-mark Agents

## McCarthy Tétrault

McCarthy Tétrault LLP Box 48, Suite 5300 Toronto Dominion Bank Tower Toronto, ON M5K 1E6 Canada Telephone: 416 362-1812 Facsimile: 416 868-0673 mccarthy.ca

George Vegh Direct Line: Direct Fax: E-Mail:

416 601-7709 416 868-0673 gvegh@mccarthy.ca

February 16, 2010

Ms. Kirsten Walli Board Secretary Ontario Energy Board 2300 Yonge Street P.O. Box 2319 Suite 2700 Toronto, Ontario M4P 1E4

Dear Ms. Walli:

## Re: PILs Combined Proceeding, Motion to determine the accuracy of the final account balances with respect to account 1562 Deferred PILs OEB File EB-2008-0381

We are counsel for the Coalition of Large Distributors (the "CLD"), which is seeking leave to intervene in the above noted proceeding.

The CLD is comprised of six of Ontario's largest Local Distribution Companies, namely Enersource Hydro Mississauga, Horizon Utilities, Hydro Ottawa Limited., PowerStream Inc. Toronto Hydro Electric System and Veridian Connections Inc. The CLD is intervening to address Issue 10 in the Issues List, which the Board added to this proceeding on February 9, 2010. This issue addresses how the Board will be considering "the continued collection of the 2001 PILs amount in rates". The inclusion of 2001 PILs amount in distribution rates was approved by the Board in rate orders issued for CLD members. The CLD is intervening so that it can preserve the legal rights of its members with respect to those orders.

The CLD intends to be an active participant in these proceedings on Issue 10, and its participation will be confined to that issue. The CLD will conform to the existing schedule for the proceeding, and will not be seeking an award of costs. The CLD believes its participation with respect to issue 10 will not prejudice any other party to the proceeding nor result in any undue effect on the proceeding.

## McCarthy Tétrault

All notices with respect to this proceeding, and copies of all evidence, should be delivered to the following:

George Vegh McCarthy Tétrault LLP Box 48, Suite 4700 Toronto Dominion Bank Tower Toronto ON M5K 1E6 Phone: (416) 601-7709 E-mail: gvegh@mccarthy.ca

Sincerely,

gĕ∦egh

c: All Participants of Record CLD Members

McCarthy Tétrault LLP DOCS #1043946 v. 2