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April 20, 2010

BY EMAIL & COURIER

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

Dear Ms. Walli:

Board File No. EB-2009-0143
Essex Powerlines Corporation – 2010 Cost of Service Application
Energy Probe – Comments on Draft Rate Order

Pursuant to the Decision and Order, issued by the Board on April 1, 2010, please find attached two hard copies of Comments of Energy Probe Research Foundation (Energy Probe) in respect of the Draft Rate Order in the EB-2009-0143 proceeding for the consideration of the Board. An electronic version of this communication will be forwarded in PDF format.

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

Yours truly,

David S. MacIntosh
Case Manager

cc: Richard Dimmel, Essex Powerlines Corporation (By email)
Michelle Soucie, Essex Powerlines Corporation (By email)
Andrew Taylor, Ogilvy Renault LLP (By email)
Randy Aiken, Aiken & Associates (By email)
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Ontario Energy Board

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF an Application by Essex
Powerlines Corporation for an order approving just and
reasonable rates and other charges for electricity
distribution to be effective May 1, 2010.

**COMMENTS ON THE DRAFT RATE ORDER
ENERGY PROBE RESEARCH FOUNDATION
("ENERGY PROBE")**

April 20, 2010

**ESSEX POWERLINES CORPORATION
2010 RATES**

EB-2009-0143

COMMENTS ON DRAFT RATE ORDER

As part of the Decision and Order dated April 1, 2010, the Board ordered Essex to file with the Board and forward to intervenors a draft Rate Order within 14 days of the date of the Decision. The draft Rate Order was to provide detailed supporting information showing the calculation of the final rates including the Revenue Requirement Work Form.

The Board further ordered that intervenors should file any comments on the draft Rate Order with the Board and forward to Essex within 7 days of the date of the filing of the draft Rate Order.

Essex filed the draft Rate Order on April 15, 2010. Energy Probe has had the opportunity to review the draft Rate Order and believes that the draft Rate Order appropriately reflects the outcome of the Settlement Agreement and the Board's Decision.

In particular, Energy Probe submits that the PILS calculation results in the correct figure to reflect application of the provincial small business deduction.

Energy Probe has had the opportunity to review the Comments of VECC on the draft Rate Order in its letter to the Board dated April 20, 2010 and supports their submissions in respect of the allocation of the Revenue Requirement to customer classes.