



*PUBLIC INTEREST ADVOCACY CENTRE*

*LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC*

ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7  
Toronto Office: 34 King St E Suite 1102 Toronto Ont. M5C 2X8

May 11, 2010

**VIA MAIL and E-MAIL**

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

Dear Ms. Walli:

**Re: EB-2009-0265**

VECC would like to make the following clarifying submissions related to Energy Probe's response to the cost objection filed by the applicant.

With respect to the submission by Energy Probe that VECC's consultant Bill Harper attended the settlement conference by telephone, we note that his attendance was for 1 hour, in order to address the clarification of particular issues relevant to the settlement discussions; that 1 hour was docketed and claimed as settlement preparation on January 21, 2010.

With respect to how settlement conference time is docketed, I can advise, for my part, that I docket attendance from the time the conference is convened by the facilitator to the time it is dissolved for the day. Time prior to and after the conference spent on conference related preparation is docketed as preparation time, even if it is, for example, time spent preparing in the conference room immediately before the conference commences. Minor disparities in conference time docketed by different parties may usually explained by some parties arriving late, leaving early, or possibly including preparation time immediately before or after the conference in attendance time when claiming costs.

Yours truly,

*Original Signed by*

Michael Buonaguro  
Counsel to VECC