

**Ontario Energy
Board**
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**Commission de l'énergie
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BY E-MAIL ONLY

May 25, 2010

David S. MacIntosh
Case Manager
c/o Energy Probe
225 Brunswick Ave.
Toronto ON M5S 2M6

Dear Mr. MacIntosh:

**Re: Canadian Niagara Power Inc.
Request for Approval to Establish a Deferral Account
Board File Number EB-2010-0159**

The Board confirms Energy Probe Research Foundation ("Energy Probe") as an intervenor in the above noted proceeding, subject to Canadian Niagara Power Inc.'s right of reply to your request within 10 days of the mailing of this letter.

The Board has determined that Energy Probe is eligible to apply for an award of costs under its Practice Direction on Cost Awards.

The Practice Direction and related forms are available on the Board's website at <http://www.oeb.gov.on.ca/OEB/Industry/Rules+and+Requirements/Rules+Codes+Guidelines+and+Forms> under Practice Directions.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

C: Mr. Douglas Bradbury, CNPI
Mr. Andrew Taylor, Ogilvy Renault LLP
Mr. Peter T. Faye, Barrister and Solicitor
Ms. Olena Loscutova, Energy Probe Research Foundation