

June 30, 2010

BY E-MAIL

Kirsten Walli
Board Secretary
Ontario Energy Board
27th Floor - 2300 Yonge Street
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

Re: EB-2010-0008
Application by Ontario Power Generation Inc. for Payment Amounts

We are counsel to Ontario Power Generation Inc. ("OPG"). We are writing in relation to certain of the matters dealt with in Procedural Order No. 1 issued by the Board yesterday.

OPG appreciates the attention given by the Board and Board Staff to its application and the intention, reflected in the Procedural Order, to deal with the application in a timely manner. However, OPG is concerned that the schedule for the application, particularly in the near term, may not be achievable and that this will result in an overall delay in the proceeding. Discussed below are OPG's specific concerns and its respectful suggestions as to possible modifications to the Procedural Order.

Redacted material. As noted in the Procedural Order, OPG has filed with its application redacted copies of the 2010-2014 Business Plan for the Nuclear and Regulated Hydroelectric businesses and numerous Business Case Summaries. In filing only the redacted materials, OPG adopted the practice in its last payments application which seemed to balance, in a practical manner, all parties' interests in sufficiency of information with OPG's desire to maintain confidentiality where appropriate. There were no concerns raised by the Board or intervenors regarding that practice in the last case. It was certainly not OPG's intention to depart from the Board's Practice Direction in such a manner as to cause inconvenience for the Board or any of the parties to the proceeding.

OPG will provide unredacted copies of the materials and a description of the basis on which confidentiality is claimed as soon as possible. We note the Procedural Order refers to filing the unredacted copies in accordance with the Board's Practice Direction. Section 5.1.4b of the Practice Direction, however, provides that the unredacted copies should identify all portions of documents for which confidentiality is claimed by using shading or other appropriate marking. Given the extensive volume of materials (over 1000 pages), taking the further step of shading or marking portions of confidential documents would add several days to the timeline for filing the materials. In the circumstances, OPG will not be able to take this step.

As matters stand, we expect that OPG will be in a position to file the unredacted materials together with an appropriate cover letter with the Board on Friday, July 2, 2010 and provide copies of the materials to parties that have signed the Board's Declaration and Undertaking on Monday, July 5, 2010.

The above timing raises an issue for the parties. Presently, the Procedural Order provides that parties wishing to make submissions on the confidentiality status of the tax information filed by OPG as well as the Business Plan and Business Case Summaries should file such submissions by Tuesday, July 6, 2010. There may be insufficient time for parties to make meaningful submissions on the confidentiality of OPG's materials, particularly given the intervening Canada Day holiday and the need to prepare for the Issue Conference on July 6. We respectfully submit that parties should be given to **July 13, 2010** to make submissions with OPG given a further week to respond (**July 20, 2010**).

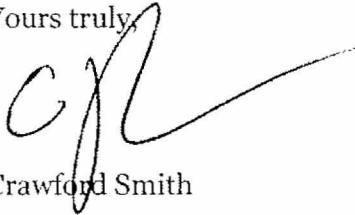
Issues List. OPG appreciates the opportunity to respond to intervenor submissions on the contemplated revised draft issues list. However, given that OPG may have to respond to eleven such submissions, OPG respectfully requests an extension of this date to **July 19, 2010**. An extension would afford OPG the weekend to finalize its submissions which, we believe, would allow it to focus its submissions in a way that would be of assistance to the Board.

Tax Materials. OPG would like to clarify its intentions with respect to this material. OPG has not made a decision whether to withdraw the material if its request for confidential treatment is not granted. Rather, the language in the cover letter accompanying the material was intended to preserve this option should OPG later decide that it was necessary. We apologize for any confusion the letter may have caused.

Other Matters. We note that the Procedural Order does not contemplate reply evidence by OPG. Evidence of this nature may be necessary depending upon steps taken by the other parties to the proceeding.

Should you have any questions or concerns, please do not hesitate to contact us.

Yours truly,



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c: Charles Keizer
Andrew Barrett/Barbara Reuber (OPG)