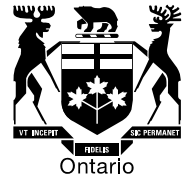


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BY EMAIL

July 29, 2010

Mr. Brian Denney
Chief Administrative Officer
Toronto and Region Conservation Authority
5 Shoreham Drive
Downsview, ON M3N 1S4

Dear Mr. Denney:

**Re: Procedural Order No. 1 – Board File Number EB-2010-0175
Decision on Cost Eligibility – Board File Number EB-2010-0215**

The Board is in receipt of your letter dated July 21, 2010, in which you request that the Board reconsider its decision regarding Toronto and Region Conservation Authority's ("TRCA") eligibility for an award of costs in the EB-2010-0175 and EB-2010-0215 proceedings (the "Proceedings").

The Board's decision that TRCA is not eligible for an award of costs in the Proceedings was based on the Board's Practice Direction on Costs Awards and the information filed by TRCA in its letters seeking intervenor status. Where a party is dissatisfied with a Board decision regarding cost eligibility, then the proper procedure is to file a motion to review under Rule 42 of the Board's Rules of Practice and Procedure. Both the Practice Direction on Cost Awards and the Rules of Practice and Procedure can be found on the Board's website.

If TRCA chooses to file a motion to review, it should be mindful of the criteria identified in Rule 44:

- 44.01 Every notice of a motion made under Rule 42.01, in addition to the requirements under Rule 8.02, shall:
- (a) set out the grounds for the motion that raise a question as to the correctness of the order or decision, which grounds may include:
 - (i) error in fact;

- (ii) change in circumstances;
- (iii) new facts that have arisen;
- (iv) facts that were not previously placed in evidence in the proceeding and could not have been discovered by reasonable diligence at the time;

If appropriate grounds for a review are not presented, the Board may choose to dismiss a motion without a hearing pursuant to Rule 45.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary