

Ontario Energy Board
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

Commission de l'énergie de l'Ontario
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone; 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL

August 26, 2010

Gordon M. Nettleton
Osler, Hoskin & Harcourt LLP
Suite 2500, TransCanada Tower
450 1st Street S.W.
Calgary AL T2P 5H1

Dear Mr. Nettleton:

**Re: Electricity Generation Licence – York Energy Centre LP
Board File Number EB-2009-0242**

The Board is in receipt of your correspondence dated August 5, 2010 concerning the effect of Ontario Regulation 305/10 under the *Planning Act* on the 2nd condition in the Board's Decision and Order (the "Decision") granting York Energy Centre LP ("York Energy") an electricity generation licence.

The 2nd condition in the Decision required York Energy to file documents demonstrating that Site Plan approval has been obtained within three years of issuance of the Decision. However, as indicated in your correspondence, Ontario Regulation 305/10 now exempts the York Energy Centre project from having to obtain Site Plan approval.

Accordingly, the Board considers the 2nd condition in the Decision as no longer having any force and effect and that York Energy is no longer required to comply with that condition.

All other conditions to the Decision remain in effect.

Yours truly,

Original signed by

Kästen Walli
Board Secretary