

By electronic filing and by e-mail



September 8, 2010

Kirsten Walli
Board Secretary
Ontario Energy Board
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Dear Ms Walli,

**Ontario Power Generation Inc. (“OPG”)
2011-2012 Payment Amounts Application
Board File No.: EB-2010-0008
Our File No.: 339583-000064**

We are writing to advise that we strongly disagree with the assertions contained in OPG’s letter of September 7, 2010, to the effect that the evidence tendered by CME is beyond the scope of matters in issue in this proceeding and, in particular, issue 1.3. In our view, OPG’s assertion that, on a specific rate application, the Board’s jurisdiction is limited to considering the bill impact of that particular application and holding all other aspects constant is a contention that lacks merit.

Our plan is to answer the interrogatories posed with respect to CME’s evidence by Board Staff and the Power Workers’ Union (“PWU”). The response that we provide to Board Staff Interrogatory No. 1, asking how CME proposes that the Board apply the CME evidence in the present proceeding, will include rationale for our position that the Board’s jurisdiction is not as limited as OPG asserts.

OPG can then determine whether it wishes to bring a formal motion to challenge the admissibility of CME’s evidence.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Peter C.P. Thompson', written over a horizontal line.

Peter C.P. Thompson, Q.C.

PCT\slc
c. Barbara Reuber (OPG)
EB-2010-0008 Intervenors
Paul Clipsham

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