



Jay Shepherd

Professional Corporation
2300 Yonge Street,
Suite 806
Toronto, Ontario M4P 1E4

BY EMAIL

October 22, 2010
Our File No. 20090269

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2009-0269 – Newmarket 2010 COS

We are counsel for the School Energy Coalition. We have reviewed the letter from the Applicant's counsel dated today, and wish to respond.

School Energy Coalition reiterates its apology to the Board for the late filing of its interrogatories in this matter. It is undoubtedly a busy time for all parties, and for the Board, and all are under pressure to meet deadlines. That, however, is not an excuse, and we recognize that.

Further, while one might perhaps raise an eyebrow that this particular Applicant, which has filed several months late more than once, would raise lateness as a concern, the fact is that past lateness does not excuse SEC or anyone else missing the Board's deadlines now or in the future. If the Board is to maintain control of its process, it must be both flexible and diligent about the enforcement of its deadlines, and that is even more true in a case like this that starts so far behind.



Against that background, we believe that the extension requested by the Applicant is reasonable, and we do not object to it. To the extent that it was caused in part by our lateness, we apologize to the Board and the parties.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.

Jay Shepherd

cc: Wayne McNally, SEC (email)
Interested parties (email)