

**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 EMAIL**

November 8, 2010

Pauline Welsh  
Regulatory Officer  
Orillia Power Distribution Corporation  
360 West St.,  
Orillia ON L3V 6J9

Dear Ms. Welsh:

**Re: Notice of Proceeding on Recovery of Costs and Damages for Late  
Payment Penalty Class Action – Board File No. EB-2010-0295 – Orillia Power  
Distribution Corporation's Request for Withdrawal**

Thank you for your letter dated November 5, 2010 requesting Board approval to withdraw from the above proceeding. In your letter you stated that the Orillia Power Distribution Corporation ("OPDC") had decided to forego recovery of the penalty payable from its customers and should therefore be allowed to withdraw from the above proceeding. Accordingly, OPDC requested that it be exempted from the requirements of the Letter of Direction dated October 29, 2010.

OPDC's decision to not recover from ratepayers amounts OPDC must pay pursuant to the settlement of the Late Payment Penalty Class Action implies that the Board's decision in this matter will have no effect on the rates of OPDC's electricity distribution customers. Therefore, the Board will allow OPDC to withdraw from this proceeding. OPDC is also exempted from the requirements in the Letter of Direction dated October 29, 2010.

Further, the Board directs OPDC to reflect its decision to forego the recovery of the subject amounts in its IRM application that is currently before the Board.

Yours truly,

*Original Signed By*

Kirsten Walli  
Board Secretary

c: All Licensed Electricity Distributors  
All Other Interested Parties