

Hydro One Networks Inc.

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LAW

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November 16, 2010

Ms Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario
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Dear Ms Walli:

EB-2010-0228 – Hydro One Networks Request for Fees Related to Distribution Generation Projects – Responses to OSEA’s Submission

Several days ago, on November 11th, Hydro One Networks Inc. (“Hydro One”) learned that, in the above-noted Board proceeding, the Ontario Sustainable Energy Association (“OSEA”) had had filed a submission on November 1st. However Hydro One was never served with OSEA’s Submission.

Hydro One nevertheless wishes to reply at this time to OSEA’s Submission and requests the Board’s permission to do so.

If the Board grants Hydro One’s request, Hydro One wishes to reply as follows.

Hydro One submits that the following proposals, which are all of OSEA’s proposals, are outside the scope of this proceeding, as well as being outside the Board’s jurisdiction as established by statutes and regulations filed thereunder:

- (a) the OSEA proposal that the proposed pole use charges and CIA fees should not apply to projects where the Aboriginal Participation Level or Community Participation Level, under the OPA’s Feed-in Tariff program, is over 51 per cent;
- (b) the OSEA proposal that where the Aboriginal Participation Level or Community Participation Level is less than 51 per cent, the project should obtain a credit against the proposed pole use charges and CIA fees.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

ORIGINAL SIGNED BY MICHAEL ENGELBERG

Michael Engelberg
Counsel for the Applicant, Hydro One Networks Inc.

cc: Ontario Sustainable Energy Association
other intervenors