

**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

December 2, 2010

To: All Licensed Electricity Distributors

**Re: Recovery of Costs and Damages for Late Payment Penalty (LPP) Class
Action – Board File No. EB-2010-0295**

On October 29, 2010 the Board issued a Notice of Proceeding (Notice) in the above matter. The Board directed all Affected Electricity Distributors to publish the Notice by November 8, 2010 and to provide the Board with an affidavit confirming publication immediately thereafter. On November 19, 2010 the Board also issued a reminder stating the same.

As of November 30, 2010, the Board has received affidavits confirming publication from 64 of the 79 Affected Electricity Distributors. A list of Affected Electricity Distributors is attached as Appendix A to this letter.

Those Affected Electricity Distributors who intend to participate in this proceeding but have not yet filed with the Board an affidavit confirming publication of the Notice should do so immediately and no later than December 9, 2010. If the Board does not receive an affidavit confirming publication by December 9, 2010, the Board will definitively conclude that these distributors do not intend to participate in the proceeding and will deem them to be foregoing any present or future recovery of costs arising from the settlement of the LPP Class Action.

“Affected Electricity Distributors” means licensed Ontario electricity distributors that are named as defendant class members in Schedule F of the April 21, 2010 Minutes of Settlement in the LPP Class Action.

A copy of the April 21, 2010 Minutes of the Settlement and all other documents in this

case are available on the Board's website at <http://www.oeb.gov.on.ca/html/EB-2010-0295>.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary

c. M. Tucci, EDA

STATUS OF PUBLICATION OF NOTICE - EB-2010-0295
APPENDIX A

No.	Named Defendants as per Schedule F	Affidavits Received & Last Date of Publication
1	Atikokan Hydro Inc.	08-Nov-10
2	Bluewater Power Distribution Corporation	08-Nov-10
3	Brant County Power Inc.	08-Nov-10
4	Brantford Power Inc.	05-Nov-10
5	Burlington Hydro Inc.	05-Nov-10
6	Cambridge and North Dumfries Hydro Inc.	10-Nov-10
7	Canadian Niagara Power Inc.	Affidavit not Provided
8	Centre Wellington Hydro Ltd.	01-Dec-10
9	Chapleau Public Utilities Corporation	06-Nov-10
10	Chatham-Kent Hydro Inc.	06-Nov-10
11	Clinton Power Corporation	Affidavit not Provided
12	COLLUS Power Corporation	12-Nov-10
13	Cooperative Hydro Embrun Inc.	11-Nov-10
14	E.L.K. Energy Inc.	09-Nov-10
15	Enersource Hydro Mississauga Inc.	11-Nov-10
16	ENWIN Utilities Ltd.	10-Nov-10
17	Erie Thames Powerlines Corporation	06-Nov-10
18	Espanola Regional Hydro Distribution Corporation	10-Nov-10
19	Essex Powerlines Corporation	10-Nov-10
20	Festival Hydro Inc.	20-Nov-10
21	Fort Albany First Nation/Fort Albany Power Corporation	Affidavit not Provided
22	Fort Frances Power Corporation	Affidavit not Provided
23	Greater Sudbury Hydro Inc.	10-Nov-10
24	Grimsby Power Inc.	10-Nov-10
25	Guelph Hydro Electric Systems Inc.	06-Nov-10
26	Haldimand County Hydro Inc.	11-Nov-10
27	Halton Hills Hydro Inc.	Affidavit not Provided
28	Hearst Power Distribution Company Limited	10-Nov-10
29	Horizon Utilities Corporation	10-Nov-10
30	Hydro 2000 Inc.	06-Nov-10
31	Hydro Hawkesbury Inc.	04-Nov-10
32	Hydro One Brampton Networks Inc.	10-Nov-10
33	Hydro One Networks Inc.	WITHDREW
34	Hydro One Remote Communities Inc.	Affidavit not Provided
35	Hydro Ottawa Limited	05-Nov-10
36	Innisfil Hydro Distribution Systems Limited	05-Nov-10
37	Kashechewan First Nation/Kashechewan Power Corporation	Affidavit not Provided
38	Kenora Hydro Electric Corporation Ltd.	04-Nov-10
39	Kingston Hydro Corporation	08-Nov-10
40	Kitchener-Wilmot Hydro Inc.	08-Nov-10
41	Lakefront Utilities Inc.	25-Nov-10
42	Lakeland Power Distribution Ltd.	05-Nov-10
43	London Hydro Inc.	10-Nov-10

44	Middlesex Power Distribution Corporation	11-Nov-10
45	Midland Power Utility Corporation	02-Nov-10
46	Milton Hydro Distribution Inc.	11-Nov-10
47	Newmarket - Tay Power Distribution Ltd.	04-Nov-10
48	Niagara Peninsula Energy Inc.	18-Nov-10
49	Niagara-on-the-Lake Hydro Inc.	08-Nov-10
50	Norfolk Power Distribution Inc.	09-Nov-10
51	North Bay Hydro Distribution Limited	08-Nov-10
52	Northern Ontario Wires Inc.	11-Nov-10
53	Oakville Hydro Electricity Distribution Inc.	12-Nov-10
54	Orangeville Hydro Limited	04-Nov-10
55	Orillia Power Distribution Corporation	WITHDRAWN
56	Oshawa PUC Networks Inc.	10-Nov-10
57	Ottawa River Power Corporation	13-Nov-10
58	Parry Sound Power Corporation	03-Nov-10
59	Peterborough Distribution Incorporated	12-Nov-10
60	Port Colborne Hydro Inc.	Affidavit not Provided
61	PowerStream Inc.	06-Nov-10
62	PUC Distribution Inc.	Affidavit not Provided
63	Renfrew Hydro Inc.	11-Nov-10
64	Rideau St. Lawrence Distribution Inc.	10-Nov-10
65	Sioux Lookout Hydro Inc.	10-Nov-10
66	St. Thomas Energy Inc.	Affidavit not Provided
67	Tillsonburg Hydro Inc.	03-Nov-10
68	Toronto Hydro-Electric System Limited	02-Nov-10
69	Thunder Bay Hydro Electricity Distribution Inc.	06-Nov-10
70	Veridian Connections Inc.	13-Nov-10
71	Wasaga Distribution Inc.	Affidavit not Provided
72	Waterloo North Hydro Inc.	08-Nov-10
73	Welland Hydro-Electric System Corp.	08-Nov-10
74	Wellington North Power Inc.	10-Nov-10
75	West Coast Huron Energy Inc.	Affidavit not Provided
76	West Perth Power Inc.	Affidavit not Provided
77	Westario Power Inc.	17-Nov-10
78	Whitby Hydro Electric Corporation	04-Nov-10
79	Woodstock Hydro Services Inc.	09-Nov-10