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BY EMAIL and RESS

December 29, 2010

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: EB-2010-0295 – Recovery of Costs and Damages for Late Payment Penalty
Class Action – Interrogatories**

Please find attached the Interrogatories of the School Energy Coalition (SEC) for EB-2010-0295 to both the Electricity Distributors Association (EDA) and Toronto Hydro-Electric System Limited (THESL) pursuant to Procedural Order #1 issued by the Board on the 17th of December.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

Originally signed by

Mark Rubenstein

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IN THE MATTER OF a proceeding initiated by the Ontario Energy Board to determine whether the costs and damages incurred by electricity distributors as a result of the April 21, 2010 Minutes of Settlement in the late payment penalty class action, as further described herein, are recoverable from electricity distribution ratepayers, and if so, the form and timing of such recovery.

INTERROGATORIES
FROM THE
SCHOOL ENERGY COALITION
TO THE ELECTRICITY DISTRIBUTORS ASSOCIATION

1. [Ref: para 45]

Please provide a table for each LDC claiming recovery showing the late payment penalties charged to customers for each calendar year.

2. [Ref: para 54-55]

Please provide a copy of the full transcript of the Fairness Hearing held on July 15, 2010.

3. [Ref: para 10]

Please provide, for each LDC that was incorporated after the date the first impugned late payment penalties were charged to customers, a copy of the agreement by which the incorporated LDC became liable for the existing obligations, including legal claims, of the predecessor entity that carried on the electricity distribution business. To the extent, if any, that there were disclosures of existing claims at the time of the transfer of the electricity distribution business, please provide a copy of those disclosures.

4. [Ref: para 10]

Please provide, for each LDC that was acquired by, or amalgamated with, another LDC or entity after 1998, a copy of the agreement by which the successor LDC became liable for the existing obligations, including legal claims, of the predecessor entity that carried on the electricity distribution business. To the extent, if any, that there were disclosures of existing claims at the time of the acquisition or amalgamation, as the case may be, please provide a copy of those disclosures.

5. [Ref: None]

Please provide, for each LDC claiming recovery, details of any insurance in place at the time of

incorporation or thereafter covering any form of third party claim against the distribution business.

6. [Ref: None]

Please provide, for each LDC claiming recovery that, during the period of the impugned late payment penalties, billed charges for goods or services other than electricity and its distribution on the same bill, a breakdown of the billed charges, by year, between electricity and its distribution, and all other charges. Please provide details of any late payment penalty policies that differed between the components of the bill, e.g. different interest rates, grace or notice periods, order of disconnection rules, etc.

Respectfully submitted on behalf of the School Energy Coalition this 29th day of December, 2010

Mark Rubenstein, Student-at-law

IN THE MATTER OF a proceeding initiated by the Ontario Energy Board to determine whether the costs and damages incurred by electricity distributors as a result of the April 21, 2010 Minutes of Settlement in the late payment penalty class action, as further described herein, are recoverable from electricity distribution ratepayers, and if so, the form and timing of such recovery.

INTERROGATORIES

FROM THE

SCHOOL ENERGY COALITION

TO TORONTO HYDRO-ELECTRIC SYSTEM LIMITED

1. [Ref: EDA para 45]

Please provide a table showing the late payment penalties charged to customers for each calendar year.

2. [Ref: EDA para 10]

Please provide a copy of the agreement by which THESL became liable for the existing obligations, including legal claims, of any predecessor entity that carried on the electricity distribution business. To the extent, if any, that there were disclosures of existing claims at the time of the transfer of the electricity distribution business, please provide a copy of those disclosures.

3. [Ref: EDA para 10]

Please provide, for any LDC that was acquired by, or amalgamated with THESL after 1998, a copy of the agreement by which THESL became liable for the existing obligations, including legal claims, of the predecessor entity that carried on the electricity distribution business. To the extent, if any, that there were disclosures of existing claims at the time of the acquisition or amalgamation, as the case may be, please provide a copy of those disclosures.

4. [Ref: None]

Please provide details of any insurance in place at the time of incorporation or thereafter covering any form of third party claim against the distribution business.

5. [Ref: None]

Please provide billed charges for goods or services other than electricity and its distribution on the same bill, a breakdown of the billed charges, by year, between electricity and its distribution,

and all other charges. Please provide details of any late payment penalty policies that differed between the components of the bill, e.g. different interest rates, grace or notice periods, order of disconnection rules, etc.

Respectfully submitted on behalf of the School Energy Coalition this 29th day of December, 2010

Mark Rubenstein, Student-at-law