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BY EMAIL and RESS

January 18, 2011

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

Dear Ms. Walli:

Re: EB-2010-0295 --- Late Payment Penalty
Notice of Motion of the School Energy Coalition

We are counsel for the School Energy Coalition ("SEC"). After speaking with the Superior Court of Justice, Court Reporting Office with respect to obtaining the material referred to in SEC Interrogatory #2 to the Electricity Distributors Association ("EDA"), it has come to our attention that a transcript does not appear to have been made for that specific proceeding. For those reasons, SEC withdraws its request in its Notice of Motion for an order requiring production by the EDA of the material requested in SEC Interrogatory #2. SEC still seeks an order for production by the EDA of the remaining materials referred to in SEC Interrogatories 3-6 as outlined in its Notice of Motion.

Yours Truly,
JAY SHEPHERD P.C.

Originally signed by

Mark Rubenstein

cc: Wayne McNally, SEC
Maurice Tucci, EDA
Alan Mark, Ogilvy Renault

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