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January 31, 2011

BY EMAIL & COURIER

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge St, Suite 2701  
Toronto ON M4P 1E4

Dear Ms. Walli:

**Board File No. EB-2009-0269**  
**Newmarket-Tay Power – Cost of Service Application**  
**Energy Probe Technical Conference Undertakings**

As a result of the Settlement Conference, which concluded on January 11, 2011, and subsequent discussions between the parties, it appears that we are moving toward a complete settlement. To assist in expediting the matter, Energy Probe Research Foundation (Energy Probe) wishes to advise the Board that it is withdrawing all outstanding Undertaking requests of Newmarket-Tay Power Distribution Limited arising from the Technical Conference in the EB-2009-0269 proceeding.

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

Yours truly,

David S. MacIntosh  
Case Manager

cc: Iain Clinton, Newmarket-Tay Power Distribution Limited (By email)  
Paul Ferguson, Newmarket-Tay Power Distribution Limited (By email)  
Andrew Taylor, Energy Law (By email)  
Randy Aiken, Aiken & Associates (By email)  
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