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April 18, 2011

VIA E-MAIL and RESS

Board Secretary
Ontario Energy Board
P.O. Box 2319, 26th Floor
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Attention: Ms. Kirsten Walli

Dear Ms. Walli:

**Re: ACH Limited Partnership, Application for Licence Amendment, EB-2011-0065; and
AbiBow Canada Inc., Application for Licence Amendment, EB-2011-0068**

By letter dated April 17, 2011, counsel for the First Nations requested that he be granted an extension of time to at least May 6, 2011 to respond to the Applicants' objection to his clients' request for intervenor status. Specifically, counsel states that this extension of time is necessary to provide the time to file "extensive Affidavit evidence and complete legal argument to support the assertions made in my letter of April 5, 2011."

The Applicants submit that this request should not be granted.

The Applicants' response to the intervention request specifically stated that, even if all of the assertions made in the April 5, 2011 letter are true, intervenor status should be denied because the First Nations will not be impacted by the order being sought in this proceeding, namely, changing ACH (the current owner of the generating facilities) to the operator of the facilities under ACH's existing generation licence. Thus, it is not necessary for counsel to prepare "extensive Affidavit evidence and complete legal argument to support the assertions made in my letter of April 5, 2011." It is respectfully submitted that the Board has enough information before it to determine whether intervenor status should be granted.

This application was filed on March 3, 2011. In the normal course, a determination of this type of application would take approximately 60-90 days. Granting the First Nations 22 days to respond to an objection to their intervenor status is both an extraordinary request and one that, if granted, could seriously prejudice the timely completion of this proceeding.

The Applicants therefore submit that the Board should deny this request and determine the First Nations' application for intervenor status on the basis of the materials already filed.

All of which is respectfully submitted.

Yours truly,

Signed in the original

Thomas Isaac
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Signed in the original

Catherine Powell
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Signed in the original

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