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VIA E-MAIL

June 3, 2011

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
PO Box 2319, 27th Floor
Toronto, ON M4P 1E4

Helen T Newland
DIRECT 416 863 4471
Helen.Newland@FMC-Law.com

Dear Ms. Walli:

Re: Capital Power GP Holdings Inc.;
Board File No.: EB-2011-0027

We act for Capital Power GP Holdings Inc., as general partner of Capital Power L.P. ("**Capital Power**"), an intervenor in the above-noted proceeding.

By letter dated May 30, 2011, Capital Power requested the Board to direct Summerhaven Wind LP ("Summerhaven") to provide a complete response to an undertaking given at the Technical Conference on May 17, 2011. By letter dated June 1, 2011, Summerhaven provided additional information. Capital Power has reviewed and is satisfied with Summerhaven's response and, accordingly, withdraws its request for a Board directive in this regard.

There is one other matter that Capital Power wishes to draw to the Board's attention arising from Procedural Order No. 6 ("**Order**") issued by the Board on May 27, 2011. The Order sets out the procedural schedule for the balance of the proceeding and stipulates a date for the receipt of submissions-in-reply by Summerhaven but does not make provision for the receipt of submissions-in-chief.

While it makes sense to let an application speak for itself and not require submissions-in-chief from the applicant where there are no issues of contention, such is not the situation in this proceeding. Based on the interrogatories and on the Technical Conference, there appear to be at least two areas where parties may not be *ad idem*. Depending on the position taken by Summerhaven on one of these issues – a common

connection point - Capital Power may or may not wish to file submissions. The Order, however, does not provide for the receipt of submissions from intervenors after the receipt of Summerhaven's "reply" submissions on June 30, 2011.

Under the circumstances, Capital Power submits that a fair process requires the Board to allow intervenors to know Summerhaven's position on all matters at issue before being required to file their own submissions. This can be accomplished in one of two ways: by requiring Summerhaven to file submissions-in-chief prior to the due date for intervenor and Board Staff submissions (June 22, 2011) or by permitting intervenors to file submissions in reply to Summerhaven's "reply" submissions which are due on June 30, 2011. Capital Power requests the Board to rule in this regard.

Yours very truly,

A handwritten signature in black ink that reads "Helen Newland". The signature is written in a cursive, flowing style.

HTN/ko

cc: Ben Greenhouse
Summerhaven Wind, LP

Kristyn Annis
McCarthy Tetrault LP

Kristi Sebalj
Ontario Energy Board

Intervenors in EB-2001-0027
(as per List of Intervenors)