

July 28, 2011

VIA RESS and COURIER

Ms. Kirsten Walli
ONTARIO ENERGY BOARD
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Ian A. Mondrow
Direct 416-369-4670
ian.mondrow@gowlings.com

Assistant: Cathy Galler
Direct: 416-369-4570
cathy.galler@gowlings.com

File No. T981761

Dear Ms. Walli:

Re: EB-2011-0222: Upper Canada Transmission, Inc. (UCT) Application for an Electricity Transmitter Licence

Request for Extension of Time for Filing Interrogatory Responses

Procedural Order No. 1 herein directs UCT to provide responses to interrogatories from Board Staff and intervenors on or before August 2nd, which is next Tuesday. Following a status call with UCT personnel this morning to review progress on gathering of information for provision of complete response to some of the interrogatories received, we write to request extension of that filing deadline.

We request that the Board reset the balance of the current schedule for this proceeding as follows:

1. UCT interrogatory responses would be filed no later than August 26th.
2. Board Staff and Intervenor submissions on the merits of the application would be filed by September 8th.
3. UCT's response to submissions on the merits of the application would be filed by September 22nd.

This proposed schedule retains the relative time frames for steps 2 and 3, relative to step 1, from Procedural Order No. 1.

The reason for what appears to be a significant extension for filing by UCT of interrogatory responses is driven by three factors;

- a. the need for UCT to carefully consider its position on ARC and RRR compliance, in light of the interrogatories on this topic and the Board's

recent relevant determinations in the TransCanada and Iacon transmission licence applications;

- b. the need to gather information from a variety of NextEra companies in order to respond to a number of the interrogatories regarding existing NextEra group facilities and the status of ongoing NextEra group projects (e.g. GLPTLP interrogatory 2 and Hydro One interrogatories 3 and 4); and
- c. the summer vacation schedules of various NextEra personnel, including previously scheduled and non-coincident overseas travel by each of the writer and NextEra's senior internal attorney overseeing this application.

In this context, we would appreciate the Board's early consideration of this request.

We appreciate that in particular given the upcoming civic holiday Monday (August 1st), the Board will not have much time to consider this request between its submission and the existing interrogatory response filing deadline. UCT continues to work on its responses. However, it would not be possible for UCT to file complete responses on August 2nd, and given that no party (save the applicant) can be prejudiced by the requested extension, rather than filing partial responses in the interim we intend to await further direction from the Board.

Yours truly,



Ian A. Mondrow

- c. Gunnar Birgisson, Senior Attorney, NEXTERA ENERGY RESOURCES, LLC
Oliver Romaniuk, Project Manager, UPPER CANADA TRANSMISSION, INC.
Irina Kuznetsova, OEB Staff
Intervenors of Record

TOR_LAW\ 7710068\1