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September 15, 2011

Delivered by Email

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

Dear Ms. Walli:

Re: CANDAS Application - OEB File No.: EB-2011-0120

We are writing on behalf of Toronto Hydro-Electric System Limited ("THESL") in connection with the above noted matter.

To-date, THESL has received approximately 186 written interrogatories, which when broken out into their component parts total well over 600 questions. Specifically, THESL has received the following:

Party	Number of IR questions	Date Received by THESL
VECC	5	Sept. 12, 2011
EP	31	Sept. 12, 2011
EDA	15	Sept. 12, 2011
Board Staff	38	Sept. 12, 2011
CANDAS – Byrne	139	Sept. 12, 2011
CANDAS – Starkey	216	Sept. 13, 2011 – late
CANDAS – (references CANDAS not THESL evidence)	143	Sept. 13, 2011 – late
CCC	28	Sept. 13, 2011 - late
CANDAS – Yatchew	54	Sept. 14, 2011 - late

In addition, many of the interrogatories received from CANDAS on September 13, 2011, reference CANDAS' (rather than THESL's) pre-filed evidence, and in some cases, fails to contain a specific pinpoint reference to the evidence as required by section 28.02(b) of the Board's *Rules of Practice and Procedure* – making THESL's ability to respond more difficult and time consuming.

THESL will use its best efforts to prepare full and complete responses to all relevant interrogatories in accordance with the Board's established timelines. However, in light of the

sheer volume of written interrogatories received, the broad scope of many of the IRs, the uncertainty caused by lack of evidence pinpoints, the late filing of several IRs, and the very short timeline provided to prepare responses, THESL wishes to advise the Board and the parties of its concern that it simply may not be feasible for THESL to complete all of its interrogatory responses within the allotted time. THESL will provide the Board and the parties with an update on the status of its interrogatory responses on September 19, 2011.

Yours very truly,

BORDEN LADNER GERVAIS LLP

Original signed by John A.D. Vellone

John A.D. Vellone

copy to: Pankaj Sardana and Amanda Klein, THESL
Helen T. Newland, CANDAS counsel
Michael Schafler, CANDAS counsel

JMR/jv

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