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**Tom Brett** 

Direct (416) 369-4628 tom.brett@gowlings.com File No. T967518

February 19, 2008

## VIA COURIER AND RESS FILING

Ms. Kirsten Walli **Board Secretary** Ontario Energy Board 27th Floor 2300 Yonge Street Toronto, Ontario M4P 1E4

Dear Ms. Walli:

Re: EB-2007-0681 - Hydro One Networks' 2008 Distribution Rate Application - Milton Hydro's Letter of Intervention

I am writing on behalf of Milton Hydro Distribution Inc. ("Milton Hydro") to seek late intervenor status in the above proceeding, pursuant to section 23.05 of the Board's Rules of Practice and Procedure.

Milton Hydro is a licensed distribution utility, and a customer of Hydro One's distribution division, low voltage (LV) rate class (proposed to be reconfigured as the ST class). Milton Hydro is interested in certain aspects of the rate design of the ST class, and will participate in the proceeding only in respect of certain rate design issues (sections 7.1, 7.2 and 7.3 of the Proposed Issues List). More particularly, Milton Hydro is of the view that the definition of "specific ST Line" needs to be amended as the current definition results in a rate which, when applied to the circumstances of the Hydro One ST line interface with Milton Hydro, is not just and reasonable. In respect of this issue, Milton Hydro will ask interrogatories, file evidence, examine witnesses and file argument.

Milton Hydro requests that all correspondence and documentation filed with the Board in this proceeding be sent to the parties listed below. It would like to obtain two hard copies of Hydro One's evidence, one for each of the parties listed below:

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> E-mail: tom.brett@gowlings.com

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Vice-President Finance
Milton Hydro Distribution Inc.
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E-mail: maryjocorkum@miltonhydro.com

Milton Hydro seeks late intervention because, due to the continuing illness of its President and CEO, it has been unable until early this week to examine the relevant parts of Hydro One's evidence.

Milton Hydro accepts the record as it stands today, including the final issues list, which it understands will be determined later today at the Issues Day proceeding. Milton Hydro respectfully suggests that its late intervention will not prejudice any party to the proceeding or the efficacy and efficiency of the proceeding, and is in the public interest.

Milton Hydro requests costs in the proceeding. While, normally, distributors are not eligible for costs, in this circumstance Milton Hydro's circumstances are unique, as its customers in Milton Hydro's view are being overcharged while the customers of other Ontario utilities are being undercharged. Consequently, only Milton Hydro can represent its ratepayers in this situation.

Yours sincerely,

Tom Brett

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c. The Applicant and Intervenors (by e-mail)

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