



Fogler,
Rubinoff
LLP

Fogler, Rubinoff LLP Barristers & Solicitors
95 Wellington Street West
Suite 1200, Toronto-Dominion Centre
Toronto, ON M5J 2Z9
Tel: 416.864.9700 Fax: 416.941.8852
www.foglers.com

October 31, 2011

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 116005

VIA EMAIL AND COURIER

Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Attention: Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Toronto Hydro-Electric System Limited (THESL)
2012 to 2014 Electricity Rate Application
Building Owners and Managers Association (BOMA) – Preliminary Issue Interrogatories
Board File No. EB-2011-0144**

Pursuant to the Decision and Procedural Order No. 3, issued by the Board on October 28, 2011, BOMA notes that the responses from the Applicant to its Interrogatories Nos. 1 and 2 are deficient. However, on closer examination of the matter, BOMA is of the view that Interrogatory No. 1 is overly detailed for the preliminary hearing issue, and the information requested in Interrogatory No. 1 can be obtained directly from Settlement Agreements and Board Decisions in earlier cases.

BOMA will not, therefore, be making submissions to the Board on THESL responses to Interrogatories Nos. 1 and 2.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd

cc: Toronto Hydro-Electric System Limited
Intervenors of Record