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November 10, 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
CANDAS and CCC IR Motions and CANDAS' Amended Motion**

We write on behalf of Toronto Hydro-Electric System Limited ("THESL") in connection with the above-noted matter. For the reasons noted below, THESL requests that it be granted an indulgence to November 15, 2011 to deliver its written submissions and brief of authorities in response to the motions of Consumers Council of Canada ("CCC") and the Applicant ("CANDAS").

CCC and CANDAS filed Notices of Motion on October 31, 2011 and November 3, 2011 respectively for further and better answers to interrogatories of THESL (collectively, the "Motions"). On this basis, the Board issued Procedural Order No. 4 (the "Procedural Order") on November 3, 2011.

The Procedural Order provided that both the CCC and CANDAS were to file their submissions on the Motions by November 7, 2011 and that THESL was to file its responding submissions three business days later, on November 10, 2011.

After the deadline for serving and filing their submissions, and extraneous to the basis upon which the Procedural Order was made, CANDAS filed an Amended Notice of Motion on November 8, 2011 seeking further and better answers to additional interrogatories of THESL, which were not the subject of the Motions, and which arose as a result of the Technical Conference that took place on November 4, 2011 (the "Amended Motion").

CCC and CANDAS served and filed their respective submissions on the Motions and Amended Motion on Wednesday November 9, 2011.

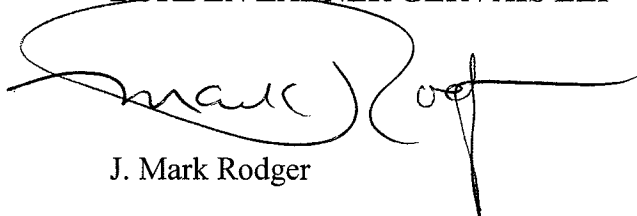
As a result of the CCC's and CANDAS' late delivery of their respective submissions, the new additional relief sought by CANDAS in its Amended Motion, and the significant legal issues raised by the Motions to which THESL is obliged to provide a complete and considered response, THESL's requests that it also be granted an indulgence in respect of delivering its responding

submissions. As we have previously advised the Board, as THESL and its counsel are engaged in three separate ongoing proceedings before the Board at this time (CANDAS, EDR 2012-14, and Suite Meters) with oral hearings scheduled for Friday November 11 and Monday November 14, 2011 (OEB File No. EB-2011-0144). Accordingly, the earliest possible date by which THESL will be able to deliver its responding written submissions and brief of authorities to the Motions and Amended Motion is Tuesday November 15, 2011. THESL submits that no party will be prejudiced from this brief time extension to file our submissions.

We trust this proposal is satisfactory to the Board given all these circumstances.

Yours very truly,

BORDEN LADNER GERVAIS LLP

A handwritten signature in black ink, appearing to read "J. Mark Rodger", is written over the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

J. Mark Rodger

copy to: Pankaj Sardana and Amanda Klein, THESL
Helen T. Newland, CANDAS counsel
Michael Schafner, CANDAS counsel
Robert Warren, CCC counsel

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