J. Mark Rodger T (416) 367-6190 F (416) 361-7088 mrodger@blg.com John A.D. Vellone T (416) 367-6730 F (416) 361-2758 jvellone@blg.com

November 28, 2011

## **Delivered by Email**

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

Dear Ms. Walli:

## Re: Request to amend the effective date of AltaLink Ontario, L.P.'s Electricity Transmission Licence: ET-2011-0126

Borden Ladner Gervais LLP

T 416.367.6000 F 416.367.6749

blg.com

Scotia Plaza, 40 King Street W

Toronto, ON, Canada M5H 3Y4

On behalf of our client, AltaLink Ontario, L.P. ("AltaLink"), we are writing pursuant to Section 74 of the *Ontario Energy Board Act, 1998* to request an amendment to AltaLink's electricity transmission licence (ET-2011-0126) (the "Licence") to change the effective date of the Licence from August 31, 2011 to the earlier of:

- 1. the date upon which AltaLink is designated as a developer of transmission assets in Ontario pursuant to a Board designation process; and
- 2. the date upon which AltaLink applies to own or operate a transmission system by seeking to amend schedule 1 of its licence to specify the facilities to be owned and/or operated by AltaLink.

AltaLink is seeking this amendment in accordance with the Board's TransCanada Power Transmission (Ontario) L.P. ("TransCanada") Decision and Order dated November 2, 2011 in EB-2011-0260 (the "TransCanada Decision").

AltaLink would like to acknowledge the Board for adopting a practical and sensible solution in the TransCanada Decision that will help eliminate some unnecessary barriers to entry for new entrants transmitters in Ontario while ensuring that the Board has an opportunity to assess the financial and technical competence of new entrants before they get licensed. AltaLink seeks this amendment for the same reasons it supported the practical concerns raised by TransCanada in its application to amend the effective date of its transmission licence<sup>1</sup> and for the same reasons AltaLink sought specific temporary exemptions to the transmission licence provisions in its original transmission licence application.<sup>2</sup>

Given that no other person will be adversely affected in a material way by the outcome of the proceeding, and in accordance with the TransCanada Decision, AltaLink requests that this

Borden Ladner Gervais

<sup>&</sup>lt;sup>1</sup> See AltaLink's submissions dated September 13, 2011 in EB-2011-0260.

<sup>&</sup>lt;sup>2</sup> See AltaLink's Reply Submissions dated August 3, 2011 in EB-2011-0126.



application be considered without the requirement for a hearing as contemplated in Section 21(4)(b) of the *Ontario Energy Board Act*, 1998.

AltaLink has no other information updates to its Licence at this time.

AltaLink requests that materials related to this matter be sent to myself and my colleague John Vellone (our contact information is included above) as well as:

## AltaLink Ontario, L.P.

Steve Hodgkinson 2611 – 3<sup>rd</sup> Avenue SE Calgary, Alberta T2A 7W7

Telephone:(403) 267-4273Email:steve.hodgkinson@AltaLink.ca

Yours very truly,

## BORDEN LADNER GERVAIS LLP

Original signed by J. Mark Rodger

J. Mark Rodger Counsel to AltaLink Ontario, L.P.

Encl.

Copy To: Steve Hodgkinson, AltaLink Ontario, L.P. Intervenors in EB-2011-0126 JMR/jv TOR01: 4768530: v1