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BY EMAIL and RESS

April 26, 2012

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2011-0271 – Halton Hills Hydro Inc.

We are counsel to the School Energy Coalition (“SEC”).

We are writing in response to Halton Hills Hydro’s (“HHHI”) Reply Argument submitted yesterday. In its argument, HHHI set out for the first time its position regarding the legal test that the Board should apply when making a determination regarding the reasonableness of its proposed Green Energy Initiative (paragraphs 13-16). These submissions were not proper reply. They should have been included in HHHI’s Argument-in-Chief, so that the Board would have the benefit of hearing the opposing legal argument.

SEC raises this issue because HHHI’s statement of the law regarding the test the Board should apply in its evaluation of proposed capital expenditures is contrary to recent Board and court decisions.

We therefore request that the Board allow short submissions on this issue from intervenors.

Yours very truly,
Jay Shepherd P.C.

Originally signed by

Mark Rubenstein

cc: Applicant and Intervenors

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