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May 14, 2012

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

Dear Ms. Walli:

Re: EB-2012-0201

We are writing in regard to VECC's late submission in the above-referenced matter that was filed yesterday with the Board. Veridian objects to VECC's late filing.

According to Procedural Order No. 1, VECC was required to file a submission by May 9, 2012. A submission was not received from VECC by that date, and Veridian filed a reply to Board Staff's submission on May 11, 2012 - the deadline required by the Board.

We have not yet had the opportunity to thoroughly review VECC's submission, but it seems as though VECC has made an argument that the Board would set a dangerous precedent if it were to hear Veridian's motion. Veridian submits that VECC's logic could apply to its own late filing, such that a dangerous precedent could be set if the Board were to accept VECC's submissions *after* receiving a reply from the applicant. Had VECC filed a day late, Veridian would not have objected. However, to entertain a submission filed after an applicant's reply could set a dangerous precedent that would be procedurally disruptive and unfair. As such, Veridian submits that it would be inappropriate for the Board to accept VECC's late filing at this time.

If the Board accepts VECC's submission, Veridian requests the right to reply to it as was originally contemplated by the Board in Procedural Order No. 1.

Sincerely,



Andrew Taylor