

Amanda Klein
Senior Regulatory Counsel
Toronto Hydro-Electric System Limited
14 Carlton Street
Toronto, Ontario M5B 1K5

Telephone: 416.542.2729
Facsimile: 416.542.3024
regulatoryaffairs@torontohydro.com
www.torontohydro.com



August 20, 2012

via RESS e-filing – signed original to follow by courier

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
PO Box 2319
2300 Yonge Street, 27th floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Toronto Hydro-Electric System Limited (“THESL”)
OEB File No. EB-2012-0064 (the “Application”)
Withdrawals of Appeals in Respect of Decision in OEB File No. EB-2011-0144**

THESL writes to the Ontario Energy Board (“OEB”) in respect of the above-noted Application.

In its Issues List Decision dated August 16, 2012, the OEB stated that it awaits THESL’s indication as to the status of the two outstanding matters referenced in the Board’s letter of June 27, 2012 before determining further steps in this proceeding.

For ease of reference, these two outstanding matters are THESL’s appeals in respect of the OEB’s January 5, 2012 Decision in EB-2011-0144 (the “Decision”), and in particular:

- (1) THESL’s January 25, 2012 Notice of Motion to review the Board’s Decision (the “Motion”); and
- (2) THESL’s Notice of Appeal to the Ontario Superior Court of Justice (Divisional Court) dated February 6, 2012 (the “Appeal”).

THESL writes to provide its indication as requested. In particular, THESL advises the OEB that it is withdrawing its Motion and Appeal.

The Motion: As set out in the attached withdrawal notice to the OEB dated August 20, 2012, THESL has withdrawn its Motion.

The Appeal: As set out in the attached Notice of Abandonment dated August 20, 2012, THESL is withdrawing its Appeal. THESL is advised by its external counsel that, in accordance with the Ontario *Rules of Civil Procedure*, such notice is being served on the OEB today and will then be filed with the Ontario Superior Court of Justice (Divisional Court). THESL will forward confirmation of successful filing to the OEB and intervenors as soon as it receives the same.

THESL trusts this response satisfies the OEB's request in the Issues List Decision, and would be pleased to address any outstanding questions or concerns that the OEB has in this regard.

Yours truly,

[original signed by]

Amanda Klein

Senior Regulatory Counsel

Regulatory Applications & Compliance

Toronto Hydro-Electric System Limited

regulatoryaffairs@torontohydro.com

:AK/RB

cc: Fred D. Cass, Aird & Berlis LLP, Counsel for THESL, by electronic mail only
Intervenors of Record for EB-2012-0064 and EB-2011-0144, by electronic mail only

Attachment 1

Withdrawal of Motion

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

Borden Ladner Gervais LLP
Scotia Plaza, 40 King Street W
Toronto, ON, Canada M5H 3Y4
T 416.367.6000
F 416.367.6749
blg.com



August 20, 2012

Delivered by RESS, Email and Courier

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

Dear Ms. Walli:

Re: Motion to Review the Board's January 5, 2012 Decision with Reasons and Order on the Preliminary Issue in OEB File No. EB-2011-0144 (the "Motion to Review")
OEB File No. EB-2012-0035

On behalf of our client, Toronto-Hydro Electric System Limited ("THESL"), THESL hereby provides its notice of withdrawal of the Motion to Review pursuant to Rule 20.01 of the Ontario Energy Board's *Rules of Practice and Procedure*. We trust this is satisfactory.

Please feel free to contact me if you have any questions.

Kind Regards,

Original signed by John A.D. Vellone

John A.D. Vellone

JMR/jv

cc: Amanda Klein, THESL
Intervenors of Record in EB-2011-0144

TOR01: 4989257: v3

Attachment 2

Abandonment of Appeal

ONTARIO
SUPERIOR COURT OF JUSTICE
(DIVISIONAL COURT)

B E T W E E N:

TORONTO HYDRO-ELECTRIC SYSTEM LIMITED

Appellant

- and -

ONTARIO ENERGY BOARD

Respondent

NOTICE OF ABANDONMENT

The appellant abandons this appeal.

Date: August 20, 2012

BORDEN LADNER GERVAIS LLP
Barristers and Solicitors
Scotia Plaza
40 King Street West
Toronto, ON
M5H 3Y4

James D.G. Douglas (LSUC# 20569H)
Tel: 416 367-6029
Fax: 416 361-2765

Heather K. Pessione (LSUC# 52351Q)
Tel: 416 367-6589
Fax: 416 361-7091

Solicitors for the Appellant,
Toronto Hydro-Electric System Limited

TO: **ONTARIO ENERGY BOARD**
27th Floor
2300 Yonge Street
Toronto, Ontario M4P 1E4

Tel: (416) 481-1967
Fax: (416) 440-7656

Respondent

**TORONTO HYDRO-ELECTRIC SYSTEM- and -
LIMITED**
Appellant

ONTARIO ENERGY BOARD
Respondent

ONTARIO
SUPERIOR COURT OF JUSTICE
(DIVISIONAL COURT)
PROCEEDINGS COMMENCED AT TORONTO

NOTICE OF ABANDONMENT

BORDEN LADNER GERVAIS LLP
Barristers and Solicitors
Scotia Plaza
40 King Street West
Toronto, Ontario M5H 3Y4

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Tel: 416 367-6029
Fax: 416 361-2765

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Tel: 416 367-6589
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Solicitors for the Appellant,
Toronto Hydro-Electric System Limited