

Richard P. Stephenson

T 416.646.4325 Asst 416.646.7417

F 416.646.4301

E [richard.stephenson@paliareroland.com](mailto:richard.stephenson@paliareroland.com)

[www.paliareroland.com](http://www.paliareroland.com)

File 10288

December 10, 2012

Chris G. Paliare  
Ian J. Roland  
Ken Rosenberg  
Linda R. Rothstein  
Richard P. Stephenson  
Nick Coleman  
Margaret L. Waddell  
Donald K. Eady  
Gordon D. Capern  
Lily I. Harmer  
Andrew Lokan  
John Monger  
Odette Soriano  
Andrew C. Lewis  
Megan E. Shortreed  
Massimo Starnino  
Karen Jones  
Robert A. Centa  
Nini Jones  
Jeffrey Larry  
Kristian Borg-Olivier  
Emily Lawrence  
Denise Sayer  
Danny Kastner  
Tina H. Lie  
Jean-Claude Killey  
Jodi Martin  
Michael Fenrick  
Nasha Nijhawan  
Jessica Latimer  
Debra Newell  
Lindsay Scott  
Alysha Shore  
Gregory Ko

HONORARY COUNSEL

Ian G. Scott, Q.C., O.C.  
(1934 - 2006)

**VIA RESS FILING and COURIER**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: Defining & Measuring Performance of Electricity Distributors (EB-2010-0379) – PEG December 2012 Report**

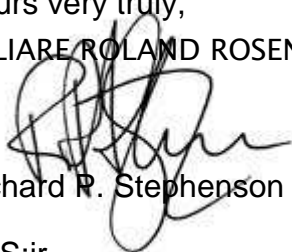
On December 6, 2012 the Board posted on its website a paper prepared by Pacific Economics Group Research LLC (PEG) entitled *Concept Paper on Empirical Analysis and Benchmarking To Be Used in the Renewed Regulatory Framework for Electricity*. With regard to capital additions data, on page 13 of PEG's report it states that "Data are not available for years 1999 through 2001".

The Power Workers' Union (PWU) would like to remind the Board that the PWU has provided evidence on the availability of 2000 and 2001 Ontario distributors' data, including capital additions on two occasions. On April 1, 2008 in the Board's consultation on 3<sup>rd</sup> Generation IR, the PWU forwarded the 2000 and 2001 data files, downloaded from the Board's website to the Board's Managing Director of Regulatory Policy Development at the time, Ms. Marika Hare (Attachment A). In the current consultation the PWU sent an e-mail to the Board on April 4, 2012 with substantiation of the availability of the 2000 and 2001 data (Attachment B).

Along with this letter, we once again provide the Board with the 2000 and 2001 data files as e-mail attachments as well as hard copies of the letter and data files on disc by courier. We hope you will find them useful.

Yours very truly,

PALIARE ROLAND ROSENBERG ROTHSTEIN LLP



Richard P. Stephenson

RPS:jr

Encl.

cc: John Sprackett, PWU (via email)  
Judy Kwik, Elenchus (via email)  
Peter Fraser, Ontario Energy Board (via email [Peter.fraser@ontarioenergyboard.ca](mailto:Peter.fraser@ontarioenergyboard.ca))  
All Stakeholders (via email)

Doc 849192v1