



Fogler, Rubinoff LLP
Lawyers

77 King Street West
Suite 3000, PO Box 95
TD Centre North Tower
Toronto, ON M5K 1G8
t: 416.864.9700 | f: 416.941.8852
foglers.com

January 22, 2016

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 155905

VIA RESS, EMAIL AND COURIER

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

Attention: Kirsten Walli
Board Secretary

Dear Ms. Walli:

Re: EB-2015-0075 - BOMA's Reply to Horizon's Objection of Cost Claim

Due to other commitments, BOMA drafted its written submission on the Horizon case shortly after the Technical Conference and before Horizon retracted a portion of its evidence. Due to the same commitments, BOMA did not redraft its submission following the receipt of Horizon's change to its evidence. BOMA assumed that the Board would simply discount the comments insofar as they pertained to the evidence that was withdrawn. BOMA filed its submission on November 17, 2015.

Given Horizon's decision to withdraw a portion of its evidence when it did, BOMA submits that its course of action was not unreasonable, and not a valid reason for reduction to its cost claim.

Yours sincerely,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd

cc: Christie Clark, OEB (*by email*)
Maureen Helt, OEB (*by email*)
Indy Butany-DeSouza, Horizon (*by email*)