

July 14, 2008

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, Suite 2700  
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: EB-2007-0905 Requests for Additional Information**

I have received Mr. Thompson's letter of July 11, 2008, in which he requests that the OEB direct OPG to provide additional information.

As indicated in my original response to Mr. Thompson's request on July 10, 2008, OPG feels that sufficient opportunities have already been provided for all parties to clarify the evidence and prepare argument in this area. Mr. Thompson cross-examined multiple witnesses on multiple panels on the issue of asset retirement obligations (ARO) and asset retirement costs (ARC) during the hearing. The undertaking to which he refers was initiated on Day 15 of the hearing – a day on which OPG's witnesses were not subject matter experts on the topic of nuclear liabilities. Mr. Thompson made this request even though he had already had, and actively pursued, the opportunity to cross-examine several of the appropriate witnesses. Despite that, OPG accepted Undertaking J15.1 and an answer was readily provided.

Mr. Thompson then asked, on July 3, a series of follow up questions on Ex. J15.1. Even though the hearing was over, OPG was responsive to Mr. Thompson's questions and provided an Addendum to J15.1, answering these additional questions.

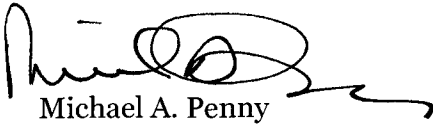
As can be seen from Mr. Thompson's latest emails attached to his letter of July 11, 2008, Mr. Thompson then posed two additional questions about OPG's ARC. Although Mr. Thompson claims that his new questions "arise" from J15.1 and J15.1 Addendum, it is clear upon a fair reading of the questions and answers in these exhibits that Mr. Thompson's new questions are not seeking to clarify those answers or to ask something that could not have been asked before those answers were given. Rather, he is seeking information (for example, the ARC on a station by station basis) that could have been asked for earlier. The latest questions do not "arise" from the answers provided but are simply a matter of Mr. Thompson, after the hearing is over, wishing he had asked additional questions of the witnesses when he had the opportunity to do so.

The evidence that is relevant to the proceeding on ARO and ARC has been adequately explained and tested during cross examination of OPG's witnesses. It is hard to understand, and Mr. Thompson has failed to explain, in any event what a further breakdown of the ARC data on a

station by station basis would add. Mr. Thompson has all the relevant data to make his argument.

Accordingly, OPG respectfully requests that the Board deny Mr. Thompson's request for direction and close the evidentiary phase of this proceeding.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Michael A. Penny', with a stylized flourish at the end.

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MAP/jeb

cc: Intervenor  
Regulatory Affairs Records, OPG