

**Ontario Energy  
Board**  
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**Commission de l'énergie  
de l'Ontario**  
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**BY E-MAIL**

August 30, 2007

Mr. Guy Paquette  
Director of Legal Affairs  
Kruger Energy Inc.  
3285 Chemin Bedford  
Montreal, PQ H3S 1G5

Hon. Joe Fontana  
President  
Allus Power  
202-620 Richmond Street  
London, ON N6A 5J9

Dear Mr. Paquette and Mr. Fontana:

**Re: Notice of Proposal under Section 81 of the *Ontario Energy Board Act, 1998*  
Kruger Energy Inc.  
Board File Number EB-2007-0691**

The Board received a notice of proposal under section 81 of the *Ontario Energy Board Act, 1998* (the "Act") from Kruger Energy Inc. ("KEI") on July 17, 2007. The Board assigned file number EB-2007-0691 to this matter. The Board received a letter from Allus Power ("Allus") on August 22, 2007 requesting that it be given the opportunity to make a formal representation to the Board regarding file number EB-2007-0691.

Under section 81 of the Act, if a generator or affiliate of a generator wishes to acquire an interest in or construct a transmission or distribution system in Ontario, it must first give the Board notice of its proposal to do so. The Board then has 60 days to consider whether it will initiate a formal review of the proposal. Subsection 82(3) of the Act states that the Board shall approve a proposal under section 81 if it determines that the impact of the proposal would not adversely affect the development and maintenance of a competitive market.

The Board has considered Allus's request. If Allus wishes to provide a submission, it must file three paper copies, and if possible an electronic copy in searchable PDF format, to the Board Secretary and deliver one copy to KEI. The submission must be received by September 5, 2007. The submission must quote file number EB-2007-0691.

If KEI wishes to respond to the submission, it must file the response with the Board Secretary in the form of three paper copies, and if possible an electronic copy in searchable PDF format, and deliver one copy to Allus. The response must be received by September 10, 2007.

Please note that the opportunity to comment on the notice of proposal does not constitute a review of the Board under section 82 of the Act nor does it constitute a notice of review under section 81 of the Act. The Board has not yet determined whether it will or will not review KEI's notice of proposal.

Please direct any questions relating to this matter to Violet Binette, Advisor at 440-7674 or e-mail, [Violet.Binette@oeb.gov.on.ca](mailto:Violet.Binette@oeb.gov.on.ca).

Yours truly,



Peter H. O'Dell  
Assistant Board Secretary