

RECEIVED

OCT 01 2009

Jerry Van Ooteghem
President & C.E.O
Tel: (519) 745-4771
Fax: (519) 571-9338

ONTARIO ENERGY BOARD

September 29, 2009

BY COURIER

11/14/09
Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
2300 Yonge Street, 26th Floor, P.O. Box 2319
TORONTO, ON M4P 1E4

**Re: Letter of Direction of September 14, 2009 regarding Application by
Kitchener-Wilmot Hydro Inc. to change its Rates effective May 1, 2010
Board File No. EB-2009-0267**

*Affidavit rec'd Sept. 29/09
- last date of publication
Sept. 26, 2009
- last date to become
Observer / Interviewer
October 6, 2009
- last date for comments
Oct. 26, 2009*

Dear Ms. Walli:

Further to the Board's letter of direction dated September 14, 2009, enclosed are the affidavit evidence required to prove the completion of the following items:

1. Notice of Application published in Kitchener's local newspaper (The Record) on Saturday, September 26, 2009.
2. Service of the Notice, to Kitchener-Wilmot Hydro Inc.'s embedded distributor, Waterloo North Hydro Inc. dated September 25, 2009 (which was hand-delivered on September 28, 2009).

Attached as appendices are copies of each of the newspaper publication as well as a copy of the letter written to Waterloo North Hydro Inc., which included the Notice of Application when delivered.

Electronic copies of our application are available for public perusal on our website at www.kwhydro.on.ca, and hard copies are available in our Customer Service Department at our offices at 301 Victoria St. S., Kitchener.



Jerry Van Ooteghem
President & C.E.O
Tel: (519) 745-4771
Fax: (519) 571-9338

Kindly contact the undersigned should you require any further information.

Respectfully submitted,

A handwritten signature in cursive script that reads 'J. Van Ooteghem'. Below the signature is the printed text 'President & CEO'.

J. Van Ooteghem, P.Eng.

Attachments

AFFIDAVIT

**Re: Letter of Direction of September 14, 2009 regarding Application by Kitchener-Wilmot Hydro Inc. (the "Corporation") to change its Electricity Distribution Rates effective May 1, 2010.
Board File No. EB-2009-0267**

I, **JERRY VAN OOTEGHEM**, of the City of Kitchener, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am the President and CEO of the Corporation and as such have knowledge of the matters herein referred to.
2. The Corporation has completed the following items with respect to Notice of Application and Written Hearing for an Electricity Distribution Rate Change (the "Notice"):
 - a. publication of the Notice in Kitchener's local newspaper (The Record) on Saturday, September 26, 2009 (a copy of which is attached to the Affidavit);
 - b. service of the Notice to the Corporation's embedded distributor, Waterloo North Hydro Inc., dated September 25, 2009 (which was hand-delivered on September 28, 2009).

SWORN BEFORE ME at the City)
of Waterloo, in the Regional)
Municipality of Waterloo, this)
29th day of September 2009)



A Commissioner, etc.



JERRY VAN OOTEGHEM

Ontario Energy Board

Commission de l'énergie de l'Ontario



NOTICE OF APPLICATION AND HEARING FOR AN ELECTRICITY DISTRIBUTION RATE CHANGE
Kitchener-Wilmot Hydro Inc.

Kitchener-Wilmot Hydro Inc. ("Kitchener-Wilmot") filed a cost of service application with the Ontario Energy Board (the "Board") on August 31, 2009 under section 78 of the Ontario Energy Board Act, 1998, S.O. 1998, c.15 (Schedule B), seeking approval for changes to the rates that Kitchener-Wilmot charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the application File No. EB-2009-0267. The Board's decision on this application may have an effect on all of Kitchener-Wilmot's customers.

Any change to Kitchener-Wilmot's distribution rates will cause Kitchener-Wilmot's delivery charges to change. Delivery charges are one of four regular items on residential and general service customers' electric bills and vary depending on the amount of electricity consumed.

Kitchener-Wilmot indicates that, if the application is approved as filed, residential customers consuming 800 kWh per month would experience an approximate 18% increase in their current delivery charges. This is a \$4.73 per month increase on their total bill. General service customers consuming 2,000 kWh per month and having a monthly demand of less than 50 kW would experience an approximate 7% increase in their current delivery charges. This is a \$3.80 per month increase on their total bill.

How to see Kitchener-Wilmot Hydro Inc.'s Application

Copies of the application are available for inspection at the Board's office in Toronto and on its website, www.oeb.gov.on.ca, and at Kitchener-Wilmot's office and may be on its website.

How to Participate

You may participate in this proceeding in one of three ways:

1. Send a Letter with your Comments to the Board

Your letter with comments will be provided to the Board Panel deciding the application, and will be part of the public record for the application. Your letter must be received by the Board no later than 30 days from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

2. Become an Observer

Observers do not actively participate in the proceeding but monitor the progress of the proceeding by receiving documents issued by the Board. You may request observer status in order to receive documents issued by the Board in this proceeding. If you become an observer, you need to contact the applicant and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board's website. Your request for observer status must be made in writing and be received by the Board no later than 10 days from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below; however two paper copies are also required. You must also provide a copy of your letter to the applicant.

3. Become an Intervenor

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenor are eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing.

Your request for intervenor status must be made by letter of intervention and be received by the Board no later than 10 days from the publication or service date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the outcome of this proceeding; and, if you represent a group, a description of the group and its membership. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant.

The Board intends to proceed with this application by way of a written hearing but may include an oral component for certain parts of the application. That component may be in the form of a technical conference or an oral hearing or both. If you object to the Board proceeding in this fashion, your letter of intervention must state the type of proceeding you believe to be necessary and the reasons why.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.entr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

How to Contact Us

In responding to this Notice, please reference Board file number EB-2009-0267 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's website at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO THE PROCESS AS OUTLINED OR DO NOT REQUEST TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THIS PROCEEDING.

Addresses

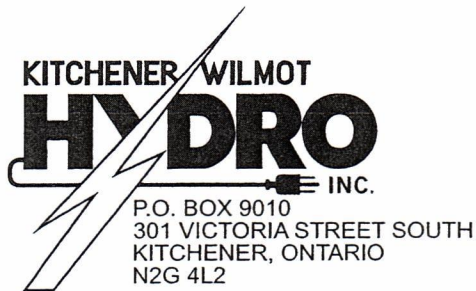
The Board:

Post:
 Ontario Energy Board
 P.O. Box 2319
 2300 Yonge Street, 27th Floor
 Toronto ON M4P 1E4
 Attention: Board Secretary
 Filings: www.entr.oeb.gov.on.ca E-mail: Boardsec@oeb.gov.on.ca
 Tel: 1-888-532-6273 (toll free) Fax: 416-440-7656
 Ontario Energy Board
 DATED at Toronto, September 14, 2009
ONTARIO ENERGY BOARD
 Original Signed By
 Kirsten Walli
 Board Secretary

The Applicant:

Kitchener-Wilmot Hydro Inc.
 P.O. Box 9010
 301 Victoria Street South
 Kitchener ON N2G 4L2
 Attention: Mr. Jerry Van Ooteghem
 President and Chief Executive Officer
 E-mail: jvanootsghem@kwhydro.on.ca
 Tel: 519-749-6180
 Fax: 519-571-9338

RO01507859



Jerry Van Ooteghem
President & C.E.O
Tel: (519) 745-4771
Fax: (519) 571-9338

September 25, 2009

HAND DELIVERED

Mr. Rene W. Gatien, President and CEO
Waterloo North Hydro Inc.
P.O. Box 640, 300 Northfield Drive East
Waterloo, Ontario
N2J 4A3

**Re: EB Number: EB-2009-0267
Kitchener-Wilmot Hydro Inc. Application for Approval
of 2010 Rates, Licence No. ED-2002-0573**

Dear Mr. Gatien:

Pursuant to the Board's Letter of Direction dated September 14, 2009, enclosed please find a copy of the Notice of Application for Kitchener-Wilmot Hydro Inc.'s 2010 rate change application (EB-2009-0267) which will be published in the local newspaper *The Record* on Saturday, September 26, 2009.

Sincerely,

J. Van Ooteghem
President & CEO

J. Van Ooteghem, P.Eng.

Attachments

cc: Kirsten Walli, Board Secretary, Ontario Energy Board
Gerry Guthrie, Vice President Finance and CFO, Kitchener-Wilmot Hydro Inc.



EB-2009-0267

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1. Send a Letter with your Comments to the Board

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