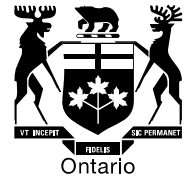


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BY E-MAIL

October 27, 2008

Mr. Adam White
President, AMPCO
372 Bay Street, Suite 1702
Toronto, ON M5H 2W9

Dear Mr. White:

**Re: AMPCO's Interrogatory Requests
Niagara-on-the-Lake Hydro Inc.
Application for Approval of 2009 Electricity Distribution Rates
Board File No. EB-2008-0237**

On September 29, 2008, the Board received a letter from AMPCO requesting intervenor status and cost award eligibility for the Niagara-on-the-Lake Hydro Inc. (NOTL) application for approval of 2009 electricity distribution rates.

On September 29, 2008, the Board received a letter from NOTL in which NOTL objected to the Board granting intervenor status to AMPCO. NOTL noted that the request was late, and questioned whether AMPCO has members in Niagara-on-the-Lake.

On October 1, 2009, the Board issued a letter to AMPCO requesting that AMPCO provide specific reasons for intervening in this application. The Board received a response from AMPCO on October 3 that stated, among other things, that AMPCO represents a cross-section of Ontario's major industries in forestry, pulp and paper, chemical, mining and minerals, steel, petroleum products, cement, automotive and manufacturing. The Board also recognizes that AMPCO has a membership complement of 40 of the largest companies in Ontario. AMPCO further stated that no AMPCO member is served directly by NOTL. AMPCO submitted that this should not mean that the interests of the industry may be entirely unaffected by matters to be considered in this case.

The Board considered NOTL's objection to AMPCO's intervention request and reviewed the reasons provided by AMPCO for its intervention. On October 7, the Board accepted

the rationale provided by AMPCO for its intervention and confirmed AMPCO as an intervenor in this proceeding.

In a number of procedural orders that the Board recently issued to other 2009 rebasing applicants, the Board expressed its concerns regarding the costs of an intervention that can be relatively significant for a smaller distributor. The Board stated that while it encourages active participation in the review of an application, it expects intervenors to be mindful of the potential impact of these costs upon ratepayers, which the Board will take into consideration when it determines its cost awards. The Board noted that it will also take into account the quality and relevance of the intervention. In addition, the Board noted that it will consider any duplication of effort by intervenors in this proceeding.

On October 21, the Board received AMPCO's six interrogatories related to the NOTL application.

On October 22, the Board received a letter from John De Vellis on the behalf of a number of intervenor parties for 2009 rebasing applications including AMPCO that acknowledged the Board's concerns regarding the costs of an intervention for smaller distributors and indicated that intervenor parties would work together to avoid duplication of effort.

The Board reviewed AMPCO's interrogatories. The Board requests that AMPCO demonstrate clearly how NOTL's responses to these questions would affect the interests of its membership and provide specific reasons for each of its interrogatory questions. AMPCO's response to this Board request should be made in writing to the attention of the Board Secretary by no later than 4:45 p.m. on Wednesday October 29. Once this information is provided, the Board will determine whether NOTL will be required to respond to AMPCO's interrogatory requests. The Board will also be better able to assess the potential value of AMPCO's intervention in the proceeding.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

cc: James Huntingdon, Niagara-on-the-Lake Hydro Inc.
All other parties