

# STIKEMAN ELLIOTT

Stikeman Elliott LLP Barristers & Solicitors

5300 Commerce Court West, 199 Bay Street, Toronto, Canada M5L 1B9

Tel: (416) 869-5500 Fax: (416) 947-0866 www.stikeman.com

Direct: (416) 869-5257  
Fax: (416) 947-0866  
E-mail: pduffy@stikeman.com

**BY EMAIL & COURIER**

November 19, 2008  
File No. 119565.1015

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

Dear Ms. Walli:

**Re: EB-2008-0219 – EGDI 2009 Rates**

We are counsel for Sithe Global Canadian Power Services Ltd. (“Sithe Global”) in the above-noted proceeding. We write in respect of the draft Issues List for Phase I of this proceeding, which was attached to Procedural Order No. 1 dated November 13, 2008.

Sithe Global proposes that the following issues be added to the Issues List:

1. Do the new rates reflect what was agreed to in the Incentive Regulation Settlement Agreement approved by the Board on Feb. 11, 2008?
2. Have the new rates been calculated correctly?

These issues need to be added in light of the larger than expected increases in the Rate 125 Tier 1 Daily Balancing Fee of 3.9%, the Tier 2 Daily Balancing Fee of 3.9%, and the Cumulative Imbalance Fee of 2.6%. Additionally, Rate 315 storage is showing a 28.0% increase on the Space Demand charge and, while the Injection/Withdrawal Demand Charge is only increasing 0.7%, the Injection/Withdrawal unit charge is increasing 14.5%. Similarly for the Rate 316 storage, the same 3 categories of cost are increasing 28.0%, 22.8% and decreasing 0.5% respectively.

TORONTO

MONTREAL

OTTAWA

CALGARY

VANCOUVER

NEW YORK

LONDON

SYDNEY

If you have any questions or concerns, please feel free to contact me at the address listed above.

Yours truly,

  
Patrick G. Duffy

/mas

cc: Norm Ryckman, *EGDI*  
Fred Cass, *Aird & Berlis*  
Colin Schuch, *Ontario Energy Board*  
Donna Campbell, *Ontario Energy Board*