



December 15, 2008

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street  
27th Floor  
Toronto, ON M4P 1E4  
**Attention: Ms. Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: Combined PILs Proceeding, EB-2008-0381**

On November 28, 2008, the Board ordered *ENWIN* Utilities Ltd. to file evidence regarding Account 1562 in relation to the above noted proceeding. Enclosed, *ENWIN* is providing all the requested information with the exception of *ENWIN*'s 2001 SIMPIL filing.

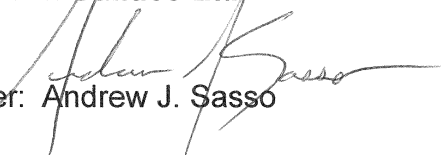
*ENWIN* is not confident that the 2001 SIMPIL document in its internal files is the version as filed with the Board. *ENWIN* consulted with Board Staff, but as of Friday, December 12, 2008, Board Staff was not in a position to verify the internal document as the filed document because the filed document could not be located in the Board's records.

*ENWIN* proposes to not file its 2001 SIMPIL internal document until such time as Board Staff can verify that it is the version as filed. *ENWIN* takes the position that so long as it is not clear that the document is correct, it should not be considered in this proceeding. Filing the unverified internal document could produce misleading results. Not filing the unverified internal document still allows the Combined Proceeding to benefit from the unbroken sequence of 2002-2005 SIMPIL filings as well as *ENWIN*'s other documents.

If at any time it becomes possible for Board Staff to verify that *ENWIN*'s 2001 SIMPIL internal document is the version as filed, *ENWIN* will immediately file it. Of course, if after considering the foregoing the Board prefers *ENWIN* file the internal document, despite its unverifiable status, *ENWIN* will immediately file it.

Yours very truly,

***ENWIN* Utilities Ltd.**

  
Per: Andrew J. Sasso

cc (email only): Harold Thiessen, OEB Staff (Case Manager)

From the Desk of Andrew J. Sasso, B.Comm., LL.B., Director, Regulatory Affairs  
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