



January 12, 2011

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

Re: London Hydro Comment Requested by Board Staff on Ratepayer Letter of Comment – Board File No. EB-2010-0097

London Hydro has been advised by Board Staff that on January 6, 2011 the Board received a letter from a ratepayer of London Hydro, Susan Smith, in which the ratepayer requested both intervenor status and an oral hearing in the above proceeding.

The ratepayer indicated that the letter was a letter of intervention, but Board Staff posted this letter on the Board's website and designated that letter as a "Letter of Comment". London Hydro did not receive a copy of this letter from either the ratepayer or the Board, and to-date London Hydro has not received any Letters of Intervention in this proceeding from Intervenors or the Board.

On January 12, 2011 Board Staff discussed this Letter of Comment with London Hydro staff and requested that London Hydro provide the Board with a letter to advise the Board as to whether or not London Hydro would object if the Board was to grant Intervenor status to this ratepayer.

The purpose of this letter is to respond to the request made by Board Staff on this matter and to advise that London Hydro would object to the Board granting intervenor status to this ratepayer for the following reasons:

It is the opinion of London Hydro that the letter provided by the ratepayer to the Board on January 6, 2011 does not fulfill the Board's requirements for Intervenor Status as specified by the Board in Section 23 of the Board's Rules of Practice and Procedure. For this reason, the letter was posted by the Board on its website as a "Letter of Comment".

From the Letter of Comment it appears that the ratepayer is acting on her own behalf, and as such does not meet the Board's requirements under Section 23.02 of having a "substantial interest".

The Letter of Comment does not provide a concise statement of the nature and scope of the intervenors intended participation as required under Section 23.03 (b). The letter does indicate an objection to the Boards mechanistic formulae and an objection to the delivery charges varying with the amount of electricity consumed. As these two matters are based upon Board approved rate setting methodologies, and we would assume that they would not qualify as issues for intervention.

Having given our above opinion on this matter, as requested by the Board, we would advise the Board that as indicated in the Notice of Application that was published in the London Free Press on December 20, 2010, copies of the application are available to all ratepayers for inspection on the Board's website and at London Hydro's offices.

All London Hydro ratepayers are able to monitor the progress and outcome of this application through the Boards website facilities, and London Hydro would encourage them to utilize that facility. Additionally, London management would encourage Ms. Smith to attend our offices, review the application and discuss any concerns she may have with us.

Yours truly,



Dave Williamson
V.P. Finance, CFO & Secretary
London Hydro Inc.