



August 9, 2012

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

Re: Toronto-Hydro Electric System Limited (THESL)
2012, 2013, 2014 Electricity Distribution Rates - IRM Framework
Board File No. EB-2012-0064

Dear Ms. Walli:

I am writing pursuant to the Board's procedural order No. 1 to provide AMPCO's submissions on the draft issues list.

In Procedural Order No. 1, the Board made the following comments:

"In its letter of June 27, 2012 to THESL, the Board stated its determination that this application would proceed to the stage of the establishment of a Board approved issues list. Once such an issues list had been established, the Board further stated that it would assess the next steps in this proceeding taking into account the status of two outstanding matters relating to the Board's EB-2011-0144 Decision of January 5, 2012 which are THESL's January 25, 2012 Notice of Motion to the Board and THESL's Notice of Appeal to the Ontario Superior Court of Justice (Divisional Court).

The Board is accordingly at this time making provision for a process to establish an issues list, with further procedural steps to follow the Board's above-noted assessment. "

In considering the above, AMPCO submits that the following issues should be added to the Issues List:

1. General

1.1 Should THESL not be required to withdraw its Motion to the Board and Appeal to the Ontario Superior Court of Justice (Divisional Court) prior to the Board deciding whether to consider the present application?

Please do not hesitate to contact me if you have any questions or require further information.

Sincerely yours,

(ORIGINAL SIGNED)

Adam White
President
Association of Major Power Consumers in Ontario

Copies to: Toronto Hydro-Electric System Limited
Mr. Fred D. Cass, Aird & Berlis LLP