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November 2, 2012

via RESS e-filing – signed original to follow by courier

Ms. Kirsten Walli

Board Secretary

Ontario Energy Board

PO Box 2319

2300 Yonge Street, 27th floor

Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Toronto Hydro-Electric System Limited (“THESL”)
OEB File No. EB-2012-0064, IRM/ICM Application**

THESL writes to the Ontario Energy Board (“OEB”) in respect of the above-noted matter.

In particular, THESL wishes to register its position in respect of Pollution Probe’s request to be reinstated as an intervenor, as well as Environmental Defence’s request to be granted late intervenor status.

Pollution Probe’s Request to be Reinstated as an Intervenor

THESL takes note of Pollution Probe’s letter dated October 30, 2012 in particular. In that letter, Pollution Probe requests that it be reinstated as an intervenor in this proceeding. THESL supports this request.

Environmental Defence’s Request for Late Intervenor Status

THESL is opposed to Environmental Defence being granted intervenor status.

THESL notes that due to the late stage of Environmental Defence’s intervention request, any indulgence granted to it by the OEB would be just that – an indulgence. Environmental Defence is effectively asking the OEB to allow Environmental Defence an exception to the rules.

With respect, THESL submits that no such exception is warranted in the circumstances.

Indeed, for the reasons given in by Pollution Probe in its letter, THESL regards the events leading up to Environmental Defence's late intervention request to be an abuse of process and submits that their intervention request is accordingly inappropriate.

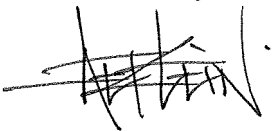
As the OEB is aware, and as set out in THESL's letters of September 13, October 22 and October 31, it is critical that THESL's Application be heard expeditiously.¹

THESL accordingly submits that should Environmental Defence be granted the indulgence of being given intervenor status, THESL would be prejudiced by Environmental Defence receiving any additional procedural indulgences which would have the effect of extending the timelines for this Application. THESL notes in this regard that Environmental Defence proposes to file evidence – evidence which Pollution Probe has explained was commissioned by Pollution Probe and which that organization chose not to file in this proceeding.

Further, THESL submits that to the extent that Pollution Probe is reinstated as an intervenor, any intervention by Environmental Defence is wholly unnecessary and would be duplicative.

Please do not hesitate to contact me if you have any questions.

Yours truly,



Amanda Klein
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cc: Fred Cass of Aird and Berlis LLP, Counsel for THESL, by electronic mail only
Intervenors of Record for EB-2012-0064 by electronic mail only

¹ As the OEB and intervenors are aware, THESL had made a request and proposal that the Application be heard in two phases, with the current 2012 and 2013 phase being considered by the OEB before the end of this year.