



BORDEN  
LADNER  
GERVAIS

Borden Ladner Gervais LLP  
Lawyers • Patent & Trade-mark Agents  
Scotia Plaza, 40 King Street West  
Toronto, Ontario, Canada M5H 3Y4  
tel.: (416) 367-6000 fax: (416) 367-6749  
www.blgcanada.com

**J.MARK RODGER**  
direct tel.: (416) 367-6190  
direct fax: (416) 361-7088  
e-mail: mrodger@blgcanada.com

September 27, 2006

**Delivered by E-mail**

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

Dear Ms. Walli:

**Re: EB-2006-0088/EB-2006-0089  
Cost of Capital and 2nd Generation Incentive Regulation Mechanism**

We are counsel to the Coalition of Large Distributors (Enersource Hydro Mississauga, Horizon Utilities, Hydro Ottawa, PowerStream, Toronto Hydro and Veridian Connections, collectively referred to as the “CLD Group”) in the above-captioned matter.

The CLD Group actively participated in last week’s Technical Conference. While the CLD remains concerned about the nature of the ongoing consultative process that may culminate in the OEB issuing new draft Codes later this fall, the CLD Group believes that it is important to establish as complete a record as can reasonably be achieved given the tight time lines associated with this process.

Accordingly, please find accompanying this letter the CLD Group’s questions pertaining to the material provided by OEB staff in advance of the Technical Conference and as presented during the Technical Conference. Please note that the attached document includes groups of questions that are directed to each of OEB staff and their consultants, Dr. Booth and Dr. Lowry.

CALGARY • MONTREAL • OTTAWA • TORONTO • VANCOUVER • WATERLOO REGION



BORDEN  
LADNER  
GERVAIS



We look forward to receiving responses to the CLD Group's questions from the various participants.

Yours very truly,

**BORDEN LADNER GERVAIS LLP**

*Mark Rodger*

**J. Mark Rodger**

JMR/ab

Encl.

Copies to: Participants in EB-2006-0088/EB-2006-0089

::ODMA\PCDOCS\TOR01\3380059\1