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File No. Toronto Hydro General Issues 23/4439

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 Decision April 2006\Ltr OEB Intervenor Status Cost
 of Capital 2nd Generation 2006 Proceeding.doc

By Facsimile: (416) 440-7656 and Regular Mail

May 19, 2006

Mr. Peter H. O'Dell
 Assistant Board Secretary
 Ontario Energy Board
 Suite 2601, 2300 Yonge Street
 Toronto, ON M4P 1E4

Dear Sir:

Re: Request for Intervenor Status – Multi-year Electricity Distribution Rate
 Setting Plan Cost of Capital (EB-2006-0088) and 2nd Generation
 Incentive Regulation Mechanism (EB-2006-0089)

EB-2006-0089

OEB BOARD SECRETARY	
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This will confirm that the City wishes to intervene in the above hearing, since the outcome of these proceedings may have some direct effect on the City. Whether that effect is marginal or more significant will be determined after these proceedings are more advanced. The City has an Indirect interest in Toronto Hydro-Electric System Limited (THESL), which is regulated by the Board. At present, it appears that the Cost of Capital portion of the proceeding might have the most potential impact on the City.

The City Solicitor has just received instruction to submit this notice of intention to intervene, without sufficient time to allow for consultation with the various client-stakeholder groups within the City, to obtain the necessary Committee or Council direction or approval to intervene in this matter, or to obtain outside legal expertise.

I am therefore requesting that the City be granted Intervenor Status with respect to the above matter, pending confirmation of the appropriate level of the City's participation in these proceedings.

The City will also be seeking an award of costs, based on its indirect interest in THESL and the outcome of these proceedings, its direct interest as shareholder of Toronto Hydro Corporation (the parent of THESL), and, its broad public interest representing the taxpayers of the City of Toronto in its capacity as a municipal shareholder and the indirect owner of THESL.

I appreciate your assistance in this matter.

Very truly yours,

L. Searles-Kelly
 Anna Kinastowski
 City Solicitor

Copies: Ms. Shirley Hoy, City Manager, City of Toronto
 Mr. Joseph Pennachetti, Deputy City Manager and Chief Financial Officer, City of Toronto