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July 28, 2009

BY EMAIL & COURIER

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge St, Suite 2701  
Toronto ON M4P 1E4

Dear Ms. Walli:

**Board File No. EB-2009-0180/ EB-2009-0181/  
EB-2009-0182/ EB-2009-0183  
Re: Applications by Toronto Hydro Energy Services Inc.,  
Toronto Hydro-Electric System Limited & 1798594 Ontario Inc.  
Intervention of Energy Probe**

Pursuant to the Applications filed by Toronto Hydro Corporation's subsidiaries noted above, dated June 15, 2009, Energy Probe Research Foundation (Energy Probe) is hereby providing Notice of Intervention in the consolidated proceeding for the Board's consideration. An electronic version of this Intervention will be forwarded in PDF format.

Energy Probe has become aware of a number of issues it may wish to pursue in this Matter, and has therefore availed itself of expert support. Energy Board is hopeful that this matter may be resolved through a written hearing but submits that after the completion of the first phase of the discovery process, parties will be in a position to suggest how the review might be dealt with.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh  
Case Manager

cc: Mark Rodger, Borden Ladner Gervais LLP (By email)  
Pankaj Sardana, Toronto Hydro-Electric System Limited (By email)  
Chris Tyrrell, Toronto Hydro Energy Services (By email)  
Lawrence Wilde, 1798594 Ontario Inc. (By email)  
Peter Faye, Counsel to Energy Probe (By email)

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**Energy Probe Research Foundation** 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: [EnergyProbe@nextcity.com](mailto:EnergyProbe@nextcity.com) Internet: [www.EnergyProbe.org](http://www.EnergyProbe.org)

## Ontario Energy Board

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c.15, Schedule B, as amended;

**AND IN THE MATTER** of an Application by 1798594 Ontario Inc. for a distribution licence; Applications by Toronto Hydro Energy Services Inc. and 1798594 Ontario Inc. for leave to sell street lighting assets; and Application by Toronto Hydro-Electric System Limited and 1798594 Ontario Inc. for leave to amalgamate.

### NOTICE OF INTERVENTION

OF

### ENERGY PROBE RESEARCH FOUNDATION

Energy Probe Research Foundation (Energy Probe) applies for intervenor status in this proceeding.

#### Statement of Interest

Energy Probe is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. Energy Probe will be representing its residential customer supporters in Ontario, which we have some number of thousands, and also representing a broader public interest concern with respect to the overall financial health and operational integrity of our utilities. Energy Probe will be intervening on issues which the Foundation believes to be in the public interest.

#### Intervention

Energy Probe intends to appear and participate in the hearing. Energy Probe expects to be a full-time intervenor. Energy Probe will be assisted by experts and may call evidence.

## Costs

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in proceedings would be very limited. Energy Probe intends to seek a cost award in this proceeding, and expects to intervene responsibly, cognizant of the Boards guidelines regarding cost awards.

## Communications

Communications relating to this Notice of Intervention, including but not limited to a copy of all documents filed with the Board by Toronto Hydro Energy Services Inc., Toronto Hydro-Electric System Limited and 1798594 Ontario Inc., are required by Energy Probe and should be directed to:

Peter T. Faye  
Barrister and Solicitor  
42 Eastwood Crescent  
Markham ON L3P 5Z7  
Tel: (905) 294-2013  
Email: pfaye@rogers.com

AND

David S. MacIntosh  
c/o Energy Probe  
225 Brunswick Ave.  
Toronto ON M5S 2M6  
Tel: 416 964-9223 Ext. 235  
Fax: 416 964-8239  
Electronic Mail: DavidMacIntosh@nextcity.com

In addition, Energy Probe requests that one hard copy of the Applications and any other documents filed with the Board by the Applicants be forwarded to its case manager.

DATED at Toronto, Ontario this 28<sup>th</sup> day of July 2009.



David S. MacIntosh  
Case Manager