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March 5, 2012

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

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Request for Intervenor Status, Eligibility for an Award of Costs
East-West Tie Line
Board File Number: EB-2011-0140**

Willms & Shier Environmental Lawyers LLP (“Willms & Shier”) is legal counsel to Northwatch.

Northwatch is a public interest organization concerned with environmental protection and social development in northeastern Ontario. Founded in 1988 to provide a representative regional voice in environmental decision-making and to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives, Northwatch has a long-term and consistent interest in electricity planning in Ontario. In particular, Northwatch’s interests are with respect to electricity generation and transmission in northeastern Ontario, conservation and efficiency measures, and rates and rate structures. Northwatch is a coalition of community and district based environmental, social justice and social development organizations.

The purpose of this letter is to identify Northwatch’s interest in the East-West Tie Line project and to seek intervenor status, eligibility for any award of costs.

Northwatch’s contact is Ms. Brennain Lloyd, coordinator for Northwatch. Ms. Lloyd’s contact information is as follows:



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North Bay, ON P1B 8H2

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North Bay, ON P1B 8H2

HOW NORTHWATCH IS OR MAY BE AFFECTED BY THE EAST-WEST TIE LINE PROJECT

Northwatch seeks to participate as an intervenor in the East-West Tie Line proceeding.

The residents and regions of northeastern Ontario will or may be affected by the East-West Tie Line in as far as it relates to:

- how the project may support and/or counter Northwatch's interests and objectives, and
- whether and/or how the balance of demand and supply of electricity at a regional level will be affected.

HOW THE PROJECT MAY HAVE IMPLICATIONS FOR RATES FOR RESIDENTS IN NORTHEASTERN ONTARIO, INCLUDING MEMBERS OF NORTHWATCH DESCRIPTION OF NORTHWATCH

As indicated above, Northwatch was founded in 1988 as a regional coalition of individuals and organizations concerned with the protection of the environment and with social equity. Northwatch has a diverse membership which includes local and district-based environmental groups, cottagers associations, naturalist clubs, church-based Aboriginal support groups, women's organizations, and local peace groups.

Individual members include those who self-identify as professionals, trappers, tourist outfitters, paddlers, parents, educators, conservationists, hunters and fishers, and



environmentalists. The common thread throughout Northwatch's membership is a deep commitment to the region of northeastern Ontario and to the health, well-being and sustainability of the human and natural communities throughout the region.

Northwatch's membership base and area of interest is the land mass north of the French River, comprised of the districts of Nipissing, Sudbury, Algoma, Manitoulin, Cochrane and Timiskaming, and including the land area north of the road system, generally known as the Hudson's Bay lowlands.

Northwatch is well respected for its policy and research work, public education programs, and its holistic approach to environmental and social planning and decision-making. Through a membership that is geographically dispersed throughout the region and through more than twenty years of work that is regionally based, Northwatch has an extensive knowledge of northeastern Ontario and the diverse and interconnecting issues of energy, natural resource and environmental management.

Northwatch has a history of involvement in energy policy. Recently, Northwatch has actively participated as an intervenor and has been found eligible for an award of costs in the following OEB proceedings:

- The Integrated Power System Plan ("IPSP")
- The Transmission Connection Cost Responsibility Review (EB-2008-0003)
- Proposed Amendments to the Distribution System Code (EB-2009-0077)
- The Regulatory Treatment of Infrastructure Investment for Ontario's Electricity Transmitters & Distribution (EB-2009-0152)
- The Renewed Regulatory Framework for Electricity.

Northwatch has most recently engaged with the Ontario Power Authority ("OPA") on the current IPSP and provided input to the OPA on the need for regional electricity planning in Ontario, particularly in the northeast region.

NATURE AND SCOPE OF NORTHWATCH'S INTENDED PARTICIPATION

The nature and scope of Northwatch's participation will be that of an intervenor and will include the following contributions:

- prepare comments on an Issues List, if provided
- prepare Interrogatories to the Board, the OPA, electricity transmitters and/or intervenors



- submit evidence, if necessary
- prepare and file written submissions if the Board proceeds by way of a written hearing, as the Board has indicated.

GROUNDINGS FOR NORTHWATCH ELIGIBILITY FOR COSTS

Northwatch intends to seek costs from the Board in relation to its participation in this review in accordance with the Ontario Energy Board's "Practice Direction on Cost Awards". Section 3 describes cost eligibility and Section 4 describes the cost eligibility process.

3.03 A party in a Board process is eligible to apply for a cost award where the party:

(a) primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services; (b) primarily represents a public interest relevant to the Board's mandate; or (c) is a person with an interest in land that is affected by the process.

Northwatch meets all three of the eligibility criteria, but as a public interest organization, its primary purpose - and its primary contribution to the stakeholder review process - is with respect to (b).

Northwatch's primary purpose is to represent the public interest with respect to environmental protection and resource management matters in northeastern Ontario. However, as a coalition of interests which includes those represented by social organizations, Northwatch also has an interest and a relevant perspective with respect to consumer concerns, many of which are unique in northeastern Ontario, relative to a provincial or more urban context (i.e. criteria a).

Northwatch represents the interests of the environment and of the residents of northeastern Ontario who identify and express environmental concerns; it is within the mandate of the Ontario Energy Board to consider such matters as the effect on the environment (i.e. criteria b). Further, our members have an interest in the land that is or may be affected by the process (i.e. criteria c). That interest may in some cases be a private interest, but in every case is also a public interest.

Northwatch will make a responsible, unique and beneficial contribution to the East-West Tie Line proceeding.

As a not-for-profit organization, Northwatch's participation in this proceeding is dependent on any cost awards it receives.



CO-OPERATION WITH OTHER GROUPS

Northwatch understands the importance of avoiding duplication of effort and any unnecessary differences of opinion on issues of mutual concern to other intervenors. Northwatch will work with the other intervenors to avoid repetition. Northwatch understands that a responsible intervention will add value and is deserving of costs.

Northwatch communicates regularly with other stakeholder groups on electricity related matters. As a coalition with a diverse network of members and associates, Northwatch's experience and perspective is unique to northeastern Ontario, and as such would not be served by joining with other groups for this exercise. However, Northwatch will continue to communicate with other stakeholders and combine efforts where possible in order to bring efficiencies to the Board's East-West Tie Line proceeding.

Contacts for the distribution list are as follows:

- ◆ Brennain Lloyd, coordinator for Northwatch, e-mail: northwatch@onlink.net
- ◆ Juli Abouchar, Counsel, Willms & Shier Environmental Lawyers, e-mail: jabouchar@willmsshier.com
- ◆ Matt Gardner, Counsel, Willms & Shier Environmental Lawyers, e-mail: mgardner@willmsshier.com

Thank you for your consideration. We look forward to a positive response to this expression of interest and to participating in the East-West Tie Line proceeding.

Yours truly,

Juli Abouchar

Partner

*Certified as a Specialist in Environmental Law
by the Law Society of Upper Canada*

cc: Brennain Lloyd, Northwatch

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