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APPRO

ASSOCIATION OF
POWER PRODUCERS
OF ONTARIO

September 2, 2014

Ms Kirsten Walli
Board Secretary
Ontario Energy Board
27th floor
2300 Yonge St.
Toronto, Ontario
M4P 1E4

**Re: Ontario Energy Board
Regional Planning Standing Committee (“RPSC”)
Request for cost eligibility
Board File Number: EB-2011-0043**

Dear Ms Walli,

We are writing to request eligibility for cost awards in the event that APPRO incurs costs for third party services related to work on the Regional Planning Standing Committee. In its letter of August 18, 2014, the Board confirmed that “cost awards will be available to eligible participants under section 30 of the Ontario Energy Board Act, 1998 in relation to their work as members of the Standing Committee.”

On August 12, APPRO nominated our President, David Butters, as a representative of generators to serve as a member of the RPSC. APPRO is a non-profit organization representing electricity generators in Ontario. Our members produce nearly all the power generated in Ontario from facilities of many types including gas-fired, hydro-electric, nuclear and wind energy. APPRO members are customers of transmission and distribution utilities in Ontario, and many have current transmission or distribution connection applications in development or underway. The terms under which connection capacity is planned and developed, whether on a regional or franchise territory basis, can make the difference between a generation project being viable or non-viable. APPRO and its members therefore have a significant interest in the structure and operation of Regional Planning processes across the province.

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APPPrO expects to limit any cost claims in this regard to services provided by independent third parties. In fact, at this point we have no plans to retain external expertise to assist with our work on the RPSC. We are seeking cost eligibility only to ensure we are properly prepared in case circumstances arise in the work of the Committee that would warrant the retention of such services.

APPPrO submits that it should be eligible for costs on the following grounds:

- (a) APPPrO Represents a Class of Consumers in this Proceeding: Decisions on planning principles, rules and procedures that may result from this Committee, as well as specific decisions on individual regional plans could have material impact on the business conditions faced by generators and on the procedures followed by electricity distributors and transmitters in providing services to generators.
- (b) It is in the Public Interest to Facilitate Generator Participation: APPPrO's members are building and planning new projects in response to OPA procurement programs and consequent contracts, and Ministerial Directives that incorporate provincial policy objectives. We believe the Board should facilitate the participation of generators in order to ensure the work of the RPSC is fully informed on generation issues, which are usually the most capital intensive part of any electricity plan. Many of APPPrO's members are too small to participate individually in a meaningful way in regional planning processes. APPPrO's participation facilitates the involvement of such members, and ensures that the Committee will have before it a comprehensive base of information from the power generator community.

The above is not an exhaustive list of APPPrO's concerns with respect to the RPSC. There may be other issues of concern to APPPrO that arise or develop during the work of the Committee. APPPrO seeks at all times to retain and reflect the perspective of the generation industry as a whole, and to present a balanced view of policy issues affecting the electricity industry and the public at large in Ontario.

Although the Board's Practice Direction on Cost Awards states that generators are normally among the parties not eligible for costs (section 3.05(b)), APPPrO submits that, for the above-noted reasons, including the nature of the issues likely to be considered by the Committee and their importance to generators, the Board make an exception to the general rule that electricity generators are not eligible for costs. APPPrO is essentially asking for the Board to exercise its discretion in the same manner as it did in respect of several other electricity and natural gas proceedings that had unique impacts on power generators.

APPPrO has been found eligible for cost awards in earlier phases of the Regional Planning proceeding.

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We would be happy to provide further information related to this request. We look forward to your response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'JB', with a stylized flourish at the end.

Jake Brooks
Executive Director

Cc Dave Butters