

# *Aiken & Associates*

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January 19, 2015

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Walli,

**RE: LPMA Notice of Intervention – EB-2014-0370**

Please find attached a Notice of Intervention and Request for Cost Eligibility of the London Property Management Association (“LPMA”) in the above noted application.

Sincerely,

*Randy Aiken*

Randy Aiken  
Aiken & Associates

cc: Gary Hendel, OPG (by e-mail)

**NOTICE OF INTERVENTION  
OF  
LONDON PROPERTY MANAGEMENT ASSOCIATION**

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**Statement of Interest**

1. The London Property Management Association (“LPMA”) is a non-profit organization whose overall goal is to help property managers and those who own/operate residential income properties in the City of London and surrounding communities. The LPMA offers information and assistance to its members to help them deal with the legislation, rules and regulations that affect their business.
2. LPMA is made up of approximately 350 members ranging from single unit owners to managers and owners of in excess of 2,000 units. The membership consists of a representative cross section of the rental property owners in the London area. In total, the LPMA members own or manage more than 35,000 rental units in the London area.
3. LPMA members receive regulated electricity service from a number of distributors that includes the pass through of generation costs related to OPG's nuclear generating assets and most of its hydroelectric generating facilities. LPMA wishes to intervene in this proceeding because it is aware of the issues, methodologies and impacts raised by this application is likely to result in changes to costs paid for electricity by its members through the clearance of deferral and variance accounts.

**Intervention**

4. LPMA hereby gives notice of its intention to intervene in, and appear at, all phases of the public Hearing.
5. LPMA reserves the right to be heard, to appear by or with counsel and/or consultant, to ask interrogatories and to cross-examine on all matters raised during the proceeding that may relate to its interests, to adduce evidence on specific matters of its choice related to the Applications, and to present argument.
6. LPMA hereby requests that the Board, OPG and all other parties provide it with copies of all evidence and correspondence related to the Application and the Hearing.

**Cost Eligibility**

7. LPMA intends to seek an award of costs.

8. As per Section 4.01 of the Practice Directions on Cost Awards, LPMA believes that it is eligible for an award of costs based on the Board's eligibility criteria and requests the Board's determination of such cost eligibility.

9. As indicated above, LPMA is comprised of commercial customers that pay regulated generation costs that are provided by OPG. Its members have a substantial interest in these proceedings, including all issues that affect costs to be paid by them.

10. The Board's cost eligibility criteria, found in Section 3 of the Practice Directions on Cost Awards includes a number of criteria related to the LPMA. Specifically, Section 3.03 states that a party is eligible to apply for a cost award where the party primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services. As indicated above, the LPMA is intervening on behalf of its members which are consumers (i.e. ratepayers) in relation to the regulated generation costs charged by OPG. As such, the LPMA submits that it is eligible for a cost award under Section 3.03.

11. LPMA notes that it has been found to be eligible for an award of costs in past rate proceedings for natural gas distribution, electricity distribution, electricity transmissions and OPG proceedings before the Ontario Energy Board.

12. LPMA has conformed with section 3.03.1 of the Practice Direction, as a party that frequently applies for intervenor status and cost award eligibility in Board proceedings. The information requested in section 3.03.1 was filed with the Board in June, 2014, which can be found on the Board's website, here:

[http://www.ontarioenergyboard.ca/oeb/Documents/Intervenor\\_Filings/LPMA\\_2014\\_annual\\_intervenor\\_filing\\_20140625.pdf](http://www.ontarioenergyboard.ca/oeb/Documents/Intervenor_Filings/LPMA_2014_annual_intervenor_filing_20140625.pdf) .

### **Communications**

13. All communications related to this Notice of Intervention and to this proceeding should be directed to:

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DATED at Chatham, Ontario this 19<sup>th</sup> day of January, 2015.

*Randy Aiken*

Randy Aiken  
Aiken & Associates