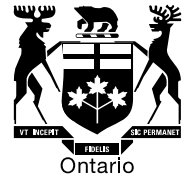


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BY EMAIL

January 28, 2009

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, Suite 2700
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: Motion by AMPCO to Vary the Board's Cost Claim Decision and Order in
the Integrated Power System Plan and Proposed Procurement Processes
Proceeding
Board File No.: EB-2009-0013**

Pursuant to Procedural Order No. 1, please find enclosed Board Staff's interrogatories.

Yours truly,

Original signed by

David Richmond
Project Advisor, Facilities, Applications

cc: Miriam Heinz, Ontario Power Authority
Adam White, AMPCO
All Registered Intervenors in EB-2007-0707 Proceeding

Attachment

Board Staff Interrogatories

Motion by AMPCO, OMA and the OFA Regarding the Board's IPSP Cost Claim Decision and Order

Board File No EB-2009-0013

Topic Area

Intervenor Performance Comparison

Board Staff Question IR1

Reference

Board Decision and Order for Phase 2A Intervenor Cost Claims – November 28, 2008

AMPCO, OMA and OFA Motion Record – December 22, 2008

Ontario Power Authority IPSP Pre-filed Evidence – Interrogatories and Responses

Documents I-5, I-22 and I-29

Preamble

The Board indicated in its Decision and Order for the Phase 2A Intervenor Cost Claim at pages 8 and 9 that for a somewhat similar cost claim amount GEC, in comparison to AMPCO et al, generally covered more issues and GEC's contribution also encompassed a larger part of the pre-filed evidence.

It states in the Motion Record of AMPCO, OMA and OFA at paragraph 21c that "The Moving Parties submit that it is not appropriate to assess the value of the Moving Parties evidence and related cost claim simply by counting reports and issues".

Question

- Considering that GEC produced 247 IRs on the pre-filed evidence, 36 IRs on Intervenor evidence and nine distinct reports versus AMPCO et al's 97 IRs on the pre-filed evidence, 25 IRs on Intervenor evidence and six reports (one a summary of three others), why does AMPCO believe that comparisons cannot be drawn about the relative workload undertaken by the two intervenors in question in producing their evidence and their interrogatories?

Topic Area

Scope of Intervenor's Contributions

Board Staff Question IR2

Reference

IPSP Board Proceeding EB-2007-0707 Issues Hearing Transcripts

Board Decision and Order for Phase 2A Intervenor Cost Claims – November 28, 2008

Board Decision With Reasons for Integrated Power System Plan Issues – March 26, 2008

Preamble

AMPCO stated at various times in the IPSP proceeding that while it had general concerns about a variety of matters, it was mainly concentrating its resources on the effects of the IPSP on electricity costs and prices. For example Mr. Rodger, AMPCO's counsel, made this point at the Issues Hearing and this is generally reflected on pages 27 to 31 of the January 15, 2008 transcript of that proceeding.

The Board's Decision and Order for Phase 2A Intervenor Cost Claims indicates on page 8 that "the Alliance states that the [Alliance evidence submission] provides analysis and advice to the Board regarding the probable directional impact of the Plan on prices and rates with particular emphasis on natural gas commodity prices, electricity commodity process and the combined impact of these prices on the Global Adjustment and other elements of customer bills."

Further, the Board's Issues Decision on page 9 stated that the Board is not able "to review the price and rate impacts of the Plan in any level of detail."

The Board also indicated in its Decision and Order for the Phase 2A Intervenor Cost Claim at page 9 that "the interrogatories and evidence filed by the Alliance referred to many parts of the OPA's pre-filed evidence and many of the issues, however, its principal foci were the natural gas issues (A15 to A19 of the Issues Decision) and the consumer pricing issue which is included in issue B3 of the Issues Decision. GEC, on behalf of itself, Pembina and OSEA, filed 9 reports that combined covered almost all of the issues identified in the Issues Decision. GEC's interrogatories also covered many issues, including conservation, renewable supply, nuclear for baseload, natural gas and.

sustainability. As noted previously, none of the evidence filed by the eligible parties has been tested to determine its value to the Board in this proceeding. However, the Board finds that the cost claim for the Alliance is excessive relative to breadth of issues addressed in the evidence”.

Question

- Since AMPCO's focus was generally targeted toward the price and cost of electricity and the effects of the IPSP on these factors, can AMPCO provide further explanation why it believes its scope of work was as broad as that of some of the other intervenors such as GEC?

Topic Area

Work done for Phase 1 of the proceeding

Board Staff Question IR 3

Reference

AMPCO, OMA and OFA Motion Record – December 22, 2008

Board Decision and Order for Phase 1 Intervenor Cost Claims – May 8, 2008

Preamble

Mr. White was denied costs in AMPCO's Phase 2A cost claim for work that Mr. White carried out in 2007 and in January 2008 (Phase 1 of the proceeding). Mr. White states in paragraphs 14-21 of Exhibit A of the Motion Record that he did not file costs for this work at the Phase 1 stage of the proceeding as AMPCO did not receive the Board's letter of April 17, 2008 stating that the deadline for filing Phase 1 claims was April 23, 2008. The Board's April 17, 2008 letter was not sent to AMPCO as it was only sent to eligible parties that had not filed Phase 1 costs (and AMPCO had filed such costs).

Mr. White states at paragraph 19 of Exhibit A of the Motion Record that he only become aware of the Phase 2A cost claim deadline when he read a reference to it in the Board's Decision and Order for Phase 1 Intervenor Cost Claims, but at that time he decided to hold these costs and file them with the Phase 2A Intervenor Cost Claims (paragraph 21).

At paragraph 37 of Exhibit A of the Motion Record, it states that AMPCO was the informal secretary and treasurer of the Alliance and at paragraph 38 of this same document it states that AMPCO took on overall management of the IPSP proceeding for the Alliance. Exhibit G of the Motion Record indicates that the Alliance partners had frequent contact through meetings, conference calls and emails.

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Questions

- When Mr. White became aware that he was not able to file the AMPCO Phase 1 cost claims in a reasonably timely manner, why did he not attempt to seek Board approval for a filing delay for these claims?
- Considering that the OMA did receive the April 17, 2008 letter and AMPCO as secretary and treasurer of the Alliance had frequent contact with Alliance members (more than 15 meetings, conference calls and emails in the first three months of 2008), why was AMPCO not aware of this matter and of the associated correspondence?

Topic Area

Mr. White's role at AMPCO

Board Staff Question IR4

Reference

AMPCO, OMA and OFA Motion Record– December 22, 2008

Preamble

Mr. White states in paragraph 6 of Affidavit A of the Motion Record that he resigned as President of AMPCO on October 31, 2007. In a number of proceedings before the Board since November 1, 2007, Mr. White has signed the AMPCO intervention request either as AMPCO President (e.g. OPG Payment Amounts for Prescribed Facilities EB-2007-0905) or with no title at all (e.g. Hydro One Networks 2009/2010 Transmission Revenue Requirement and Rate Application EB-2008-0272) and Mr. White is still noted as AMPCO President on the AMPCO website.

Question

- Can Mr. White explain these discrepancies in AMPCO's communications with the Board for these various proceedings?

Topic Area

Mr. White's role at AMPCO

Board Staff Question IR5

Reference

AMPCO, OMA and OFA Motion Record – December 22, 2008

Preamble

In paragraph 7 of Exhibit A of the Motion Record, Mr. White states that he provides the services of President to AMPCO through a consulting services agreement between AMPCO and Mr. White's consulting company, AITIA Analytics Inc.

Questions

- In providing services as President through his consulting company, does Mr. White carry out all the duties that he would as a president that was an employee of the organization?
- In providing these services as President of AMPCO through his consulting company, is Mr. White considered an officer of AMPCO?
- Who at AMPCO has authority for approval of work or documents issued by AMPCO and who at AMPCO has authority for approval of invoices or of monies to be paid by AMPCO?