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LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC

ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7

Tel: (613) 562-4002. Fax: (613) 562-0007. e-mail: piac@piac.ca. <http://www.piac.ca>

Michael Buonaguro
Counsel for VECC
(416) 767-1666

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VIA MAIL and E-MAIL

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

Dear Ms. Walli:

Re: Vulnerable Energy Consumers Coalition (VECC)
EB-2008-0227

These are the submissions of VECC in response to Enwin's cost claim objection.

We have had the opportunity to review a draft of the submissions filed on behalf of CCC with respect to Enwin's objection, and adopt those submissions in support of VECC's cost claim as well.

We note that there was no specific claim against the appropriateness of VECC's cost claim, only the general claim that the aggregate cost of interventions was too high.

VECC submits that Enwin's comparison with last year's cost awards is misleading because:

- a) The various interventions in last year's round of rebasing applications had anywhere from 1 to 5 or more interventions, which necessarily affects the costs claimed; VECC notes as well that the extent to which a particular cost eligible intervenor was interested and involved in a particular intervention is not disclosed, even though it can greatly affect the ratios relied on,
- b) the 2009 process was expanded (two rounds of IRs and/or teleconferences) for many proceedings that did not go to a hearing or settlement conference, so as to

avoid some of the deficiencies in last year's processes. Last year, in many instances, intervenors and Board Staff were required to pose follow up interrogatories in their argument, and utilities filed new or updated evidence in reply argument. As a result of Board initiated process changes, last year's total cost claims are even less comparable to the current year than they would otherwise be, and

- c) the general effort required to adequately review an application, draft appropriate IRs, and provide argument with respect to an application is largely dependent on the quality of the application and IR responses provided. In VECC's experience there is not necessarily a direct correlation between the size of the utility and the complexity of the application.

VECC agrees with CCC's general submission that absent specific allegations of excess costs being claimed, the generic and bald submission that the aggregate costs claimed is too high must fail.

VECC submits that it acted responsibly and efficiently during the course of its intervention, that its cost claim is reasonable under the circumstances, and that it should recover 100% of its' applied for cost claim.

Thank you.

Yours truly,

Michael Buonaguro
Counsel for VECC