

June 11, 2009

BY COURIER (3 COPIES) AND EMAIL

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, Suite 2700
Toronto, Ontario M4P 1E4
Fax: (416) 440-7656
Email: boardsec@oeb.gov.on.ca

Dear Ms. Walli:

**Re: Pollution Probe – Request for Intervenor Status
EB-2009-0077 – Proposed Amendments to Distribution System Code**

We are writing to request intervenor status on behalf of Pollution Probe for the above noted matter further to the Board's *Notice of Proposal to Amend a Code and Rules of Practice and Procedure*.

With respect to the intervention:

- I. Pollution Probe intends to appear and participate as part of this proceeding.
- II. Pollution Probe is a public interest advocacy group with a large membership and donor base throughout Ontario. On behalf of its members, donors and the general public, Pollution Probe intends to support aggressive promotion of energy conservation, energy efficiency, and distributed generation. Pollution Probe may identify other interests based on its review of the materials.
- III. Pollution Probe requests two copies of the pre-filed evidence/materials, one to be delivered to myself and Mr. Cory Wanless (Student-at-Law) as counsel for Pollution Probe at the law firm address above (e-mail addresses: basil.alexander@klippensteins.ca and cory.wanless@klippensteins.ca), and one to be delivered to its consultant, Mr. Jack Gibbons of Public Interest Economics. Electronic copies are sufficient, and we also request that both counsel (Mr. Alexander and Mr. Wanless) and Mr. Gibbons be listed on the intervenors' list under Pollution Probe, since this makes the later distribution of updates more effective. Mr. Gibbons is at:

Public Interest Economics
625 Church Street, Suite 402
Toronto ON M4Y 2G1
Telephone: (416) 926-1907 x240
Facsimilie: (416) 926-1601
E-mail: jgibbons@pollutionprobe.org

IV. The intervenor's full name and address is:

Pollution Probe Foundation
625 Church Street, Suite 402
Toronto ON M4Y 2G1
Telephone: (416) 926-1907
Facsimile: (416) 926-1601

- V. Please send correspondence and any other materials to both Jack Gibbons and to counsel as the authorized representatives.
- VI. Pollution Probe intends to seek an award of costs for the reasons discussed above.
- VII. Pollution Probe requests the Board's directions as to whether this Notice of Intervention should be served on any other parties.

Yours truly,



Basil Alexander

BA/ba