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VIA MAIL and E-MAIL

Mr. John A. D. Vellone
Borden Ladner Gervais LLP
Scotia Plaza, 40 King Street West
Toronto, Ontario,
Canada M5H 3Y4

Re: Vulnerable Energy Consumers Coalition (VECC) Motions for Review
Board File: EB-2009-0130

I am writing to provide comments regarding the draft terms of reference.

Innisfil

- 1) The company should include the details of the calculation of the reduction in revenue requirement.
- 2) Innisfil calculated the fixed/variable split for each customer class by maintaining the fixed charge as approved by the Board and reducing the variable charge. This approach is not consistent with its original application and the Board's approval both of which established the split based on a proposed/approved percentage of the costs for each class being fixed. The "new" rates should be calculated using the same fixed/variable %'s for each class as in the final approved rate order.
- 3) The wording for Account 2425 – Hearing Preparation and Support Costs should be revised to clarify that it's only incremental costs incurred that qualify. We suggest revising the first sentence to read as follows:

In the Decision the Board approved the establishment of a deferral account to track for future recovery, subject to the Board's standard prudence review, any and all incremental costs arising solely as a result of the VECC motion to review the Original Decisions (including, as applicable, any board staff costs or intervenor costs).

COLLUS:

- 1) The company should include the details of the calculation of the reduction in revenue requirement.
- 2) It is not clear how the allocation to customers was done, in part because there was no information filed with draft rate order showing the allocation to customer classes consistent with the currently approved 2009 rates. It would be useful if COLLUS confirmed how the allocation was done – similar to what Innisfil has done.
- 3) In its original decision the Board accepted COLLUS' proposal to maintain the existing fixed/variable split %s. Could Collus please confirm that they have maintained the same split %s.
- 4) The wording for Account 2425 – Hearing Preparation and Support Costs should be revised to clarify that it's only incremental costs incurred that qualify. Suggest revising the first sentence to read as follows:

In the Decision the Board approved the establishment of a deferral account to track for future recovery, subject to the Board's standard prudence review, any and all incremental costs arising solely as a result of the VECC motion to review the Original Decisions (including, as applicable, any board staff costs or intervenor costs).

Yours truly,

Michael Buonaguro