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File: 9252

Sent by Courier and Electronic Mail

December 7, 2009

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Intervention and Cost Eligibility Request on behalf of the
Low-Income Energy Network (LIEN)
Board File No. EB-2009-0347
Ontario Power Authority Proposed 2010 Revenue Requirement Submission**

Willms & Shier Environmental Lawyers LLP (W+SEL) is legal counsel to the Low-Income Energy Network (LIEN).

REQUEST FOR INTERVENTION

In accordance with section 23 of the Ontario Energy Board ("Board") *Rules of Practice and Procedure*, we hereby request Intervenor status on behalf of LIEN in the above-noted proceeding.

REQUEST FOR ORAL HEARING

In its Notice of Application and Hearing, the Board states that it may proceed with this application by way of written or oral hearing and that the Board will not hold a written hearing if a party satisfies the Board that there is good reason for holding an oral hearing.

LIEN respectfully requests that the Board hold an oral hearing and a settlement conference for this matter. A written hearing will not provide adequate opportunity for a full exploration and understanding of the OPA's proposals and budget to deal with Low-Income energy issues within its remit.



INTEREST IN PROCEEDING

LIEN is an organization of more than 80 member associations from across Ontario, including, environmental, legal, tenant/housing, and social service organizations. Accordingly, LIEN represents the interests of tenants/consumers that may be affected by this proceeding. LIEN is directed by a Steering Committee. In addition to the Steering Committee and Members and Supporting Organizations, over 35 individuals have also indicated their support for LIEN.

As an umbrella organization, LIEN offers the opportunity for one entity to represent the similar interests of many organizations that have come together under LIEN. A description of its organization in greater detail can be found on its website (www.lowincomeenergy.ca). LIEN is a well recognized Intervenor in other Board proceedings.

LIEN's "mission statement" is in itself a statement of LIEN's interest in this proceeding.

"The Low-Income Energy Network:

- ♦ *aims to ensure universal access to adequate, affordable energy as a basic necessity, while minimizing the impacts on health and on the local and global environment of meeting the essential energy conservation needs of all Ontarians, and*
- ♦ *promotes programs and policies which tackle the problems of energy poverty and homelessness, reduce Ontarians' contribution to smog and climate change, and promote a healthy economy through the more efficient use of energy, a transition to renewable sources of energy, education and consumer protection."*

LIEN intends to participate actively and responsibly throughout the proceeding.

COSTS

LIEN requests that the Board find it eligible for costs under section 3.03(a) of the Board's *Practice Direction on Cost Awards*. LIEN "primarily represents the direct interests of consumers in relation to regulated services", in particular, low-income consumers. LIEN has been accepted as a party eligible for an award of costs in other proceedings before the Board.



As a not-for profit organization, LIEN's participation in this proceeding is dependent on any cost awards it receives. LIEN intends to coordinate its efforts with other intervenors to avoid duplication where possible.

LIEN respectfully requests an early determination by the Board that it is eligible for an award of costs in this proceeding.

For the purposes of this proceeding, LIEN will retain the consulting expertise of Judy Simon of IndEco Strategic Consulting Inc. and Marion Fraser of Fraser & Company. Ms. Simon and Ms. Fraser's contact information is below.

CONTACT INFORMATION

LIEN requests that copies of written materials in electronic or other format concerning this proceeding, be sent to:

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ADDITIONS/COMMENTS ON THE DRAFT ISSUES LIST

LIEN proposes the following additional issues for the Draft Issues List:

Low-Income Energy

Does the Budget make adequate provision for such low-income energy programs and related expenditures as may be or may come to be within the OPA's remit?

Does the Budget include appropriate and sufficient protections for low-income energy consumers?

Yours truly,

Paul Manning

cc: LIEN

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