

June 14, 2010

BY COURIER (2 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-2010-0008 – Ontario Power Generation – 2011-12 Payment Amounts**

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

With respect to the intervention:

- I. Pollution Probe intends to appear and participate at the hearing or hearings.
- 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 review whether the application is in the public interest.

Pollution Probe is also particularly interested in OPG's costs of capital and specifically whether OPG should be utilizing separate costs of capital for its nuclear and hydroelectric facilities. For the Board's reference, Pollution Probe currently intends to lead expert evidence on these and related topics.

Pollution Probe is also interested in whether the Board should approve construction work in progress related to the Darlington Refurbishment as well as related issues.

Pollution Probe may identify other interests based on its review of the materials.

III. Pollution Probe requests the following copies of the pre-filed evidence/materials:

- one electronic copy to be delivered jointly to Murray Klippenstein and myself as counsel for Pollution Probe at the law firm address above (e-mail addresses: murray.klippenstein@klippensteins.ca and basil.alexander@klippensteins.ca)
- one electronic copy to be delivered to its consultant, Jack Gibbons of Public Interest Economics at:

Jack Gibbons
Public Interest Economics
625 Church Street, Suite 402
Toronto, Ontario M4Y 2G1
Telephone: (416) 926-1907 x240
Fax: (416) 926-1601
Email: jgibbons@pollutionprobe.org

- and both paper and electronic copies to be delivered separately to Dr. Gordon Roberts and Dr. Lawrence Kryzanowski (i.e. the experts retained by Pollution Probe for this proceeding) at:

Dr. Gordon S. Roberts
Schulich School of Business (Finance Area)
York University
4700 Keele Street
Toronto, Ontario, M3J 1P3
Telephone: (416) 736-2100 ext. 77953
Fax: (416) 736-5687
Email: groberts@schulich.yorku.ca

Dr. Lawrence Kryzanowski
MB12-229, JMSB
Concordia University
1455 De Maisonneuve Blvd. West
Montreal, Quebec, H3G 1M8
Telephone: (514) 848-2424 ext. 2782
Fax: (514) 848-4500
Email: lawrence.kryzanowski@concordia.ca

We also request that Mr. Klippenstein, Mr. Alexander, Mr. Gibbons, Dr. Roberts, and Dr. Kryzanowski all be listed on the intervenors' list under Pollution Probe, since this makes the later distribution of updates more effective.

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 Pollution Probe's authorized representatives. We also request that appropriate correspondence and materials also be sent to Pollution Probe's experts.

- 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 letter of intervention should be served on any other parties.

Yours truly,



Basil Alexander

BA/ba

cc: Regulatory Affairs, Ontario Power Generation Inc., by email to
opgregaffairs@opg.com
Charles Keizer, Torys LLP, by email to ckeizer@torys.com
Carlton D. Mathias, Ontario Power Generation Inc., by email to
carlton.mathias@opg.com