

25 Adelaide St. E
Suite 1602
Toronto ON, M5C 3A1



APPrO

ASSOCIATION OF
POWER PRODUCERS
OF ONTARIO

August 6, 2010

Ms Kirsten Walli
Board Secretary
Ontario Energy Board
27th floor
2300 Yonge St.
Toronto, Ontario
M4P 1E4

Dear Ms Walli,

**Re: Application by Hydro One Networks Inc. for an amendment to its
Electricity Distribution Licence to exempt Hydro One from the Board's
October 21, 2009 Notice of Amendment to the Distribution System Code and
certain sections of the Distribution System Code (EB-2010-0229)**

I am writing to request intervenor status in this proceeding. Due to the unusually tight timelines associated with this proceeding this application may be arriving a few days after the deadline stated by the Board for intervention applications. APPrO therefore requests late intervenor status as well.

APPrO is a non-profit organization representing electricity generators in Ontario. Our members produce nearly all the power generated in Ontario from facilities of many types including gas-fired, hydro-electric, nuclear and wind energy. A large number of APPrO members are distribution customers of HONI, and APPrO therefore has a major interest in this proceeding.

APPrO expects to limit its intervention to issues of material impact on generators.

APPrO submits that it should be eligible for costs on the following grounds:

- (a) APPrO Represents Consumers in this Proceeding: The proposed exemptions and license amendment would bear directly on the obligation faced by Hydro One distribution in providing connection service to generators.
- (b) It is in the Public Interest to Facilitate Generator Participation: APPrO's members are building and planning new projects in response to OPA procurement programs

(and consequent contracts) and Ministerial Directives that incorporate provincial policy objectives. Much of the development that gave rise to this proposal is related to accommodating new generation. Given that the issues in the present proceeding are to a large extent “generator issues,” the Board should facilitate the participation of generators in order to provide the best evidentiary basis for its determination. Many of APPrO’s members are too small to participate individually in a meaningful way in this proceeding. APPrO’s participation facilitates the involvement of such members, and ensures that the Board has before it a comprehensive representation in this proceeding from the power generator community.

- (c) APPrO’s Participation Contributes to Hearing Efficiency: APPrO’s representation of its members in such a proceeding would be a much more effective and efficient regulatory approach than having each of its members make their own interventions, with attendant duplication and extra costs. APPrO has participated similarly in numerous natural gas proceedings (e.g., NGEIR, storage allocation, Enbridge and Union IRM proceeding).
- (d) Proper APPrO Participation Requires Intervenor Funding: APPrO, like other trade associations such as the Association of Major Power Consumers in Ontario (“AMPCO”) and the Industrial Gas Users Association (“IGUA”), does not have independent funding sufficient to support well rounded participation.

APPrO submits that, for the above-noted reasons and the nature of the issues in this proceeding (and their importance to generators), the Board should make an exception to the general rule that electricity generators are not eligible for costs. APPrO is essentially asking for the Board to exercise its discretion in the same manner as it did in respect of the Transmission Connection Cost Responsibility Review and several recent natural gas proceedings that had unique impacts on power generators (i.e., NGEIR, storage allocation, etc.).

We would be happy to provide further information related to this request. We look forward to your response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Butters', enclosed within a large, loopy oval shape.

David Butters
President & CEO

Cc Ms. Anne-Marie Reilly
Regulatory Coordinator – Regulatory Affairs
Hydro One Networks Inc.
Regulatory@HydroOne.com

