



August 18, 2010

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, Suite 2700  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli,

**Re: EB-2010-0245 – Cost Award Requests and Cost Recovery**

Superior Energy Management (“Superior Energy”) is responding to the Board’s letter of August 4, 2010 setting out the consultation process the Board intends to follow in its implementation of various consumer protection provisions of the Energy Consumer Protection Act, 2010 (the “ECPA”).

Specifically, the Board states that *“costs awarded will be recovered from licensed electricity retailers (50%) and licensed gas marketers (50%), and apportioned amongst them in the manner to be determined by the Board at the relevant time.”*

Respectfully, Superior Energy submits that recovery of costs associated with this consultation should be determined based upon the Board’s Cost Assessment Model as it applies to market rules and that any departure from this model as it impacts marketers and retailers provide those organizations with the opportunity to respond in advance of a decision. Further, should the Board proceed with a recovery of costs from marketers and retailers, Superior Energy requests that allocation be determined based on a proportionate share of the market.

The Board has determined that this consultation process will be limited to provisions of the ECPA that relate to the activities of suppliers. As Part II of the ECPA applies to marketing of natural gas and electricity to low-volume users only, Superior Energy respectfully submits that cost awards be limited to organizations that represent low-volume consumers specifically. Based on the Board’s website, cost award requests have been received from:

- o Canadian Manufacturers & Exporters (“CME”)
- o Energy Probe Research Foundation (“Energy Probe”)
- o Building Owners and Managers Association of the Greater Toronto Area (“BOMA”)
- o London Property Management Association (“LPMA”)
- o Mr. Bruce Sharp

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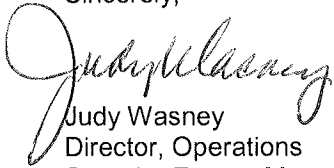
[www.superiorenergy.ca](http://www.superiorenergy.ca)

- Housing Help Association of Ontario (“HHAO”)
- Consumers Council of Canada (“CCC”)
- Vulnerable Energy Consumers Coalition (“VECC”)

Superior Energy respectfully requests that the Board limit cost award eligibility to the HHAO, CCC and VECC to the extent that the Board determines that the scope of these organizations’ representation does not overlap.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy Wasney". The signature is written in a cursive style with a large initial "J".

Judy Wasney  
Director, Operations  
Superior Energy Management