

# MILLER THOMSON LLP

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September 17, 2010

**Andrew J. Roman**  
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**By Email**

**Ontario Energy Board**

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Email: boardsec@oeb.gov.on.ca

**City of Welland**

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**Attention: Board Secretary**

Dear Sir/Madam:

**Re: Review of Electricity Distribution Cost Allocation Policy  
Board File No.: EB-2010-0219**

In response to the Ontario Energy Board's September 2, 2010 letter, the City of Welland (the 'City') intends to participate as a stakeholder in this proceeding.

The City recognizes the need for the OEB to review cost allocation periodically; however serious concerns need to be addressed as to how any increase in rates arising from changes in such cost allocations may affect smaller municipalities. In particular, the City has specific interest in any changes to the cost allocation methodology relating to unmetered loads for street and sentinel lighting.

Further, the City, proposes that the scope of discussion also include a review of conservation incentives to municipalities with respect to the installation of energy efficient street lighting technology. As the OEB is aware, LED and Induction technology drastically reduces energy consumption

The City is applying for a cost award. As per OEB's *Practice Directions on Cost Awards*, the municipality represents a public interest relevant to the OEB's mandate as the City has an interest in ensuring rates charged for street lighting and sentinel lighting are appropriate and the cost allocation process is an integral component of that [3.03(b)]. Further, the municipality is a considerable land owner affected by this process through paying for lighting throughout the City and thus it also submits under 3.03(c).

Toronto Vancouver Calgary Edmonton London Kitchener-Waterloo Guelph Markham Montréal

Affiliations Worldwide

The City has retained the services of the undersigned, Andrew J. Roman, of Miller Thomson LLP with the assistance of an articling student. Attached are the relevant credentials (Appendix 'A').

Please accept this correspondence as a letter of intent from the City of Welland to participate as a stakeholder in the review process.

Regards,

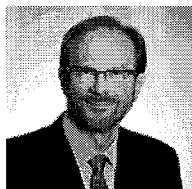
A handwritten signature in blue ink that reads "Andrew J. Roman". The signature is fluid and cursive, with the first name "Andrew" and last name "Roman" clearly legible.

Andrew J. Roman  
AJR/AJR

## **Appendix ‘A’**

# MILLER THOMSON LLP

Andrew J. Roman, Partner



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## Biography

Andrew Roman has over thirty-five years of experience in a broad range of law, which he practices across Canada. His areas of recognized industry/ practice area expertise include appellate and complex litigation (including defending several large class actions), electricity, competition law, broadcasting and telecommunications. Mr. Roman has managed teams of lawyers and other experts in negotiating and drafting agreements, obtaining financing for projects and obtaining the necessary regulatory and environmental approvals. This ability to manage and supervise a legal team in all aspects of a client's work – from negotiations to drafting, and from regulatory hearings to litigation – provides clients with greater efficiency and better control over their work.

Mr. Roman's electricity practice includes generation (nuclear, fossil, water, wind, solar, biomass and geothermal) transmission and distribution. He has helped to shape Canadian energy policy through his work as a legal consultant to Ontario's Ministry of Energy, the Ontario Energy Board and the Alberta Department of Energy.

Mr. Roman has been active in Competition Law since his articling days with the Competition Bureau. His practice includes obtaining merger approvals, advising and representing clients responding to antitrust investigations and defending clients in antitrust litigation, including class actions.

Mr. Roman has also represented clients before various administrative tribunals such as the CRTC (in broadcasting and telecommunications cases) the Ontario Energy Board and at all levels of court, including the Federal Court and the Supreme Court of Canada.

Mr. Roman is the author of more than 90 publications and a book. He has been a sessional lecturer at four law schools and, in the Winter 1998 term, was the holder of the Chair of Natural Resources Law at the University of Calgary.

## Education

Osgoode Hall Law School, York University (LL.B., 1971)

## Year of call

Called to the Ontario Bar, 1973

## Affiliations

Member, Canadian Bar Association Competition Law Section

Member, American Bar Association Antitrust Law Section

Member, Advocates Society.

## Additional information

Sessional lecturer at the law schools of University of B.C., Victoria, Calgary, and Osgoode Hall Law School.

Awarded the S.O.A.R. medal in November 1996 in recognition of outstanding service to the administrative justice system of Ontario.

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