



***PUBLIC INTEREST ADVOCACY CENTRE
LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC***

ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7

Tel: (613) 562-4002. Fax: (613) 562-0007. e-mail: piac@piac.ca. <http://www.piac.ca>

Michael Buonaguro
Counsel for VECC
(416) 767-1666

November 8, 2010

VIA MAIL and E-MAIL

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge St.
Toronto, ON
M4P 1E4

Dear Ms. Walli:

**Re: Vulnerable Energy Consumers Coalition (VECC)
Notice of Intervention: EB-2010-0295
Recovery of Costs and Damages Incurred by Electricity Distributors as a
Result of the April 21, 2010 Minutes of Settlement in the Late Payment
Penalty Class Action.**

Please find enclosed the Notice of Intervention of VECC in the above-noted proceeding.

Thank you.

Yours truly,

Michael Buonaguro
Counsel for VECC
Encl.

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Sch.B, as amended;

AND IN THE MATTER OF a proceeding initiated by the Ontario Energy Board to determine whether the costs and damages incurred by electricity distributors as a result of the April 21, 2010 Minutes of Settlement in the late payment penalty class action are recoverable from electricity distribution rate payers, and if so, the form and timing of such recovery.

NOTICE OF INTERVENTION

OF

VULNERABLE ENERGY CONSUMERS COALITION (VECC)

To: Ms. Kirsten Walli
Board Secretary

1. The Vulnerable Energy Consumers Coalition (VECC) hereby expresses its intention to intervene and participate in the above-mentioned proceeding. VECC consists of the following organizations:
 - (a) The Federation of Metro Tenants Association
 - (b) The Ontario Coalition of Senior Citizens' Organizations (OCSCO)

2. The Federation of the Metro Tenants Association is a non-profit corporation composed of over ninety-two affiliated tenants associations, individual tenants, housing organizations, and members of non-profit housing co-ops. In addition to encouraging the organization of tenants and the promotion of decent and affordable housing, the Federation provides general information, advice, and assistance to tenants. The address is:

500-27 Carlton Street
Toronto, ON
M5B 1L2

3. The Ontario Coalition of Senior Citizens' Organizations (OCSCO) is a coalition of over 120 senior groups as well as individual members across Ontario. OCSCO represents the concerns of over 500,000 senior citizens through its group and individual members. OCSCO's mission is to improve the quality of life for Ontario's seniors. OCSCO's address is:

660 Briar Hill Avenue, Suite 207
Toronto, ON
M6B 4B7

4. The name and address of the agent authorized to receive documents on behalf of VECC is:

Mr. Michael Buonaguro
Counsel
c/o Public Interest Advocacy Centre
34 King Street East, Suite 1102
Toronto, Ontario
M5C 2X8
(416) 767-1666 (office)
(416) 348-0641 (fax)
mbuonaguro@piac.ca

5. VECC would request that all correspondence and documentation also be copied to VECC's consultant:

Mr. Bill Harper
Econalysis Consulting Services
34 King Street East, Suite 1102
Toronto, Ontario
M5C 2X8
(416) 348-0193 (office)
(416) 348-0641 (fax)
bharper@econalysis.ca

6. VECC requests that copies of all supporting materials be forwarded to each of the two parties named above.
7. VECC is intervening in order to ensure that consumer interests and in particular the interests of the low-income and vulnerable users of electricity are fully represented in the determination of whether Affected Electricity Distributors should be allowed to from ratepayers the costs and damages incurred in the LLP Class Action and, if so, how the recovery should be allocated to classes and factored into rates.
8. At this time, VECC agrees with the Board's proposal to deal with the application by way of a written proceeding. However, in VECC's view, the decision should be revisited after parties have filed evidence.
9. VECC will be requesting an award of costs for its participation in this proceeding and believes that, as a coalition representing the direct

interests of consumers, it meets the eligibility criteria set out in the Ontario Energy Board's Rules of Practice and Procedure (Section 41) and its Practice Direction on Cost Awards (Section 3.03).

DATED AT TORONTO, THIS 8th DAY OF NOVEMBER 2010

Michael Buonaguro
Counsel for VECC
c/o Public Interest Advocacy Centre