

From: [BoardSec](#)
To: [REDACTED]
Subject: FW: EB-2010-0295 Comments letter
Date: November 15, 2010 12:33:42 PM
Attachments: [OEB 20101113.docx](#)

From: Jim Mallar [REDACTED]
Sent: November 13, 2010 12:22 PM
To: BoardSec
Subject: EB-2010-0295 Comments letter

2010-11-13

Board Secretary – Ontario Energy Board
2300 Yonge Street, Ste. 2701
Toronto, ON, M4P 1E4
Attention: Board Secretary

Via Email: boardsec@oeb.gov.on.ca

Re: File # EB-2010-0295

I am opposed to allowing Affected Electricity Distributors recover the costs of the settlement from their ratepayers.

The settlement resulted from the management teams of the Affected Electricity Distributors, knowingly charging excessive penalties to their customers. The costs are solely result of unethical (if not illegal) conduct by Affected Electricity Distributors management teams, and all such costs should be borne directly by the Distributors out of their own profits.

Allowing recovery from the ratepayers, victimizes the same customer base that was violated by the excessive penalties in the first place. The Affected Electricity Distributors need to be held accountable for their misconduct and bear the financial responsibility of these costs themselves.

Additional related comments:

I notified Rideau St. Lawrence by letter in November 2009, that their interest algorithm resulted in effective interest rates in excess of 100% per annum. To date (November 2010), they have not adjusted or made changes to their interest calculation and interest charges are still in excess of 100%. (copy of the original letter available if requested)

In Canada, the *Criminal Code*, at §347, defines the crime of *usury* (called "criminal interest rate") as follows:

"Criminal rate means an effective annual rate of interest calculated in accordance with generally accepted actuarial practices and principles that exceeds 60 per cent on the credit advanced under an agreement or arrangement."

Jim Mallar
[REDACTED]