

December 7, 2010

**BY COURIER (2 COPIES) AND EMAIL**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, Suite 2700  
Toronto, Ontario M4P 1E4  
Fax: (416) 440-7656  
Email: boardsec@oeb.gov.on.ca

Dear Ms. Walli:

**Re: Pollution Probe – Request for Intervenor Status and Costs Eligibility  
EB-2010-0364 – Regulated Price Plan Time-of-Use Pricing Consultation**

We are writing to request intervenor status and costs eligibility on behalf of Pollution Probe for the above noted matter in accordance with the Ontario Energy Board's letter dated December 6, 2010 and *Rules of Practice and Procedure*.

With respect to the intervention and costs eligibility request:

- I. Pollution Probe intends to appear and participate as part of this consultation.
- II. Pollution Probe is a public interest advocacy group with a large membership and donor base throughout Ontario. On behalf of its members, donors and the general public, Pollution Probe intends to review whether the application is in the public interest. For example, Pollution Probe intends to support aggressive promotion of energy conservation and energy efficiency. Pollution Probe may identify other interests based on its review of the evidence.
- III. Pollution Probe requests two copies of the pre-filed evidence/materials, one to be delivered to Murray Klippenstein and myself as counsel of record for Pollution Probe at the law firm address above (e-mail addresses: murray.klippenstein@klippensteins.ca and basil.alexander@klippensteins.ca), and one to be delivered to its consultant, Jack Gibbons of Public Interest Economics. Electronic copies are sufficient, and we also request that both counsel of record (Mr. Klippenstein and Mr. Alexander) and Mr. Gibbons be listed on the intervenors' list under Pollution Probe, since this makes the later distribution of evidence and other updates more effective. Mr. Gibbons is at:

Public Interest Economics  
625 Church Street, Suite 402  
Toronto ON M4Y 2G1  
Telephone: (416) 926-1907 x240  
Facsimilie: (416) 926-1601  
E-mail: [jgibbons@pollutionprobe.org](mailto:jgibbons@pollutionprobe.org)

IV. The intervenor's full name and address is:

Pollution Probe Foundation  
625 Church Street, Suite 402  
Toronto ON M4Y 2G1  
Telephone: (416) 926-1907  
Facsimile: (416) 926-1601

- V. Please send correspondence and any other materials to both Jack Gibbons and to counsel as the authorized representatives.
- VI. Pollution Probe intends to seek an award of costs for the reasons discussed above.
- VII. Pollution Probe requests the Board's directions as to whether this Notice of Intervention should be served on any other parties.

Yours truly,



Basil Alexander

BA/ba