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**By electronic filing**

December 15, 2010

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> floor  
Toronto, ON M4P 1E4

Dear Ms Walli,

**Ontario Power Authority**

**Board File No.: EB-2010-0279**

**Our File No.: 339583-000003**

We are writing as solicitors for Canadian Manufacturers & Exporters (“CME”) to seek intervenor status and cost award eligibility in this proceeding.

This request is late because we only learned today that the Board had issued its Notice of Application and Procedural Order No. 1 in this matter on November 24, 2010. We checked the “What’s New” e-mails we receive from the Board and can find no reference to the issuance of either of these documents on November 24, 2010. We rely on the “What’s New” e-mail service to monitor applications to the Board that may be of interest to CME. If there was a “What’s New” e-mail pertaining to the Board’s issuance of either of these documents, then we inadvertently missed it.

CME has not heretofore intervened in submissions made by the Ontario Power Authority (“OPA”) for Board review of its proposed expenditure and revenue requirements and the fees that it proposes to charge. However, our cursory examination of the Board’s Draft Issues List attached to Procedural Order No. 1 indicates that this proceeding is likely to be far broader in scope than prior OPA proceedings.

As the Board is aware, CME and its members are very interested in how the OPA plans to achieve its strategic objectives. In prior proceedings before the Board, CME has advocated that, in its supervision of the OPA and the other electricity utilities it regulates,

the Board should monitor and control the pace at which the combined actions of the OPA and other utilities the Board regulates affect periodic increases in overall electricity prices.

In this context, CME and its members are very interested in the work that the OPA performs and the consequential impacts that the OPA's activities are likely to have on the prices of electricity to consumers.

Accordingly, CME seeks leave to intervene in this proceeding to support the broad approach to the scrutiny of OPA's activities reflected in the Draft Issues List. CME also requests that it be granted cost award eligibility.

#### Intervenor Status

The reasons why CME should be granted intervenor status in this proceeding include the following:

1. CME is Canada's leading business network. Its members represent 75% of manufactured output in the Province of Ontario, and 90% of all exports.
2. Manufacturing is important to the Province of Ontario. It is the single largest sector of the economy (17.5% of Gross Domestic Product ("GDP") or \$300B) employing, directly, over 1M people in the Province.
3. Electricity is the primary source of energy for the manufacturing sector. As a result, the members of CME are vitally concerned with all matters pertaining to the supply and price of electricity.
4. Ontario-based CME members seek an electricity system for Ontario which is one of the most cost-effective and economically sustainable systems in North America.

#### Cost Award Eligibility

CME seeks a determination that it is eligible for a Cost Award on the following grounds:

1. CME is a not-for-profit organization funded by membership fees and revenues from the services it renders to Federal and Provincial Governments and Agencies to foster the development of national and international markets for its members and to break down trade barriers.
2. About 85% of CME's 1,400 Ontario-based member companies are Small to Medium sized business Enterprises ("SMEs") with 500 employees or less. The views of these businesses should be considered in this proceeding.

3. CME's ability to actively participate in this proceeding is dependent upon a determination that it is eligible for a Cost Award. In many prior proceedings, the Board has determined that CME is eligible for a Cost Award.

No Prejudice

CME submits that no one will be prejudiced if the relief requested in this letter is granted. CME is not seeking any changes to the deadline dates specified in paragraphs 1 and 2 of Procedural Order No. 1. CME plans to participate in the Issues Day scheduled for Friday, December 17, 2010, in the expectation that it will be granted intervenor status and cost award eligibility in this proceeding.

CME Contacts

If the relief requested in this letter is granted, then CME requests that further communications with respect to the matter be sent to the following:

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Please contact the undersigned if the Board requires any further information in connection with this request.

Yours very truly,



Peter C.P. Thompson, Q.C.

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