



THE BOARD OF DIRECTORS

Chair, GAIL REGAN
President, Cara Holdings Ltd.

President, PATRICIA ADAMS

MAX ALLEN

Producer, IDEAS, CBC Radio

ANDREW COYNE

National Editor, Maclean's

GLENN FOX

Professor of Economics, University of Guelph

IAN GRAY

President, St. Lawrence Starch Co.

CLIFFORD ORWIN

Professor of Political Science, University of Toronto

Secretary Treasurer, ANNETTA TURNER

ANDREW ROMAN

Barrister & Solicitor, Miller Thomson

ANDREW STARK

Rotman School of Management, University of Toronto

GEORGE TOMKO

Resident Expert, PSI Initiative, University of Toronto

MICHAEL TREBILCOCK

Chair, Law & Economics, University of Toronto

MARGARET WENTE

Columnist, The Globe and Mail

December 24, 2010

BY EMAIL & COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge St, Suite 2701
Toronto ON M4P 1E4

Dear Ms. Walli:

Board File No. EB-2010-0138
Niagara Peninsula Energy Inc. – 2011 Cost of Service Application
Intervention of Energy Probe

Pursuant to the Notice of Application and Hearing issued by the Board on December 16, 2010 in respect of Niagara Peninsula Energy Inc., Energy Probe Research Foundation (Energy Probe) is hereby providing its Notice of Intervention in the EB-2010-0138 proceeding for the Board's consideration.

Energy Probe has become aware of a number of issues it wishes to pursue in this Matter, and has therefore availed itself of expert support. Energy Probe does not object to the Board proceeding as outlined in the Notice of Application and Hearing. Please note that in the attached Notice of Intervention, Energy Probe has requested a hard copy of the Applicant's evidence and material for Mr. Aiken in addition to electronic copies.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh
Case Manager

cc: Brian Wilkie, Niagara Peninsula Energy (By email)
Suzanne Wilson, Niagara Peninsula Energy (By email)
Randy Aiken, Aiken & Associates (By email)

Energy Probe Research Foundation 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: EnergyProbe@nextcity.com Internet: www.EnergyProbe.org

Ontario Energy Board

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

AND IN THE MATTER OF an Application by Niagara
Peninsula Energy Inc. for an Order or Orders approving or fixing
just and reasonable rates and other service charges for the
distribution of electricity as of May 1, 2011.

NOTICE OF INTERVENTION

OF

ENERGY PROBE RESEARCH FOUNDATION

Energy Probe Research Foundation (Energy Probe) applies for intervenor status in this proceeding.

Statement of Interest

Energy Probe is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. Energy Probe will be representing its residential customer supporters in Ontario, which we have some number of thousands, and also representing a broader public interest concern with respect to the overall financial health and operational integrity of our utilities. Energy Probe will be intervening on issues which the Foundation believes to be in the public interest.

Intervention

Energy Probe intends to appear and participate in the hearing. Energy Probe expects to be a full-time intervenor. Energy Probe will be assisted by experts and may call evidence.

Costs

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in proceedings would be very limited. Energy Probe intends to seek a cost award in this proceeding, and expects to intervene responsibly, cognizant of the Board's guidelines regarding cost awards.

Communications

Communications relating to this Notice of Intervention, including but not limited to a copy of all documents filed with the Board by Niagara Peninsula Energy, are required by Energy Probe and should be directed to:

Mr. Randy Aiken
Aiken & Associates
578 McNaughton Ave. West
Chatham, Ontario, N7L 4J6
Tel: 1-519-351-8624
Fax: 1-519-351-4331
Electronic Mail: randy.aiken@sympatico.ca

AND

David MacIntosh
c/o Energy Probe
225 Brunswick Ave.
Toronto ON M5S 2M6
Tel: 416 964-9223 Ext. 235
Fax: 416 964-8239
Email: DavidMacIntosh@nextcity.com

Energy Probe wishes to advise the Applicant that electronic copies, plus a CD, of the prefiled evidence, and any other supporting materials are sufficient for its Case Manager. In addition to electronic copies, plus a CD, of the prefiled evidence, please provide one hard copy of the Application and any other supporting materials to its consultant, Mr. Randy Aiken.

DATED at Toronto, Ontario this 24th day of December 2010.



David MacIntosh
Case Manager