

17 December 2007

Ontario Energy Board
2300 Yonge St., 27th Floor
Toronto, ON
M4P 1E4
Attn: Ms Kirsten Walli
Board Secretary

By electronic filing and e-mail

Dear Ms Walli:

**Re: EB-2007-0791 Ontario Power Authority 2008 revenue review
– GEC, Pembina, OSEA intervention**

1. The Green Energy Coalition (GEC), Pembina Foundation and The Ontario Sustainable Energy Association hereby give notice of their intention to jointly intervene in this matter and request that they be found eligible for costs.
2. The GEC is comprised of David Suzuki Foundation, Eneract (Energy Action Council of Toronto), Greenpeace Canada, Sierra Club of Canada and World Wildlife Fund of Canada. Pembina Foundation, OSEA and the GEC's member groups are charitable or non-profit organizations active on environmental and energy policy matters. All of these groups have previously been found eligible for costs in OPA matters before the Board and all of these groups have been active in consultations and are known to the applicant.
3. The groups' primary interest in these proceedings is in regard to the appropriateness of the OPA's expenditure and revenue requirements given its central role in generation, transmission and CDM development and given the forthcoming approvals process for those matters. The groups will be active participants.
4. With respect to the issue of written or oral hearing, we adopt GEC's correspondence dated November 12th which responds to Mr. Lyle's request for a written process. For the Board's convenience we reproduce the text of that letter here:

GEC was an active participant in the 2007 case and strenuously disagrees with the interpretation OPA has placed on the results of that process. GEC played a lead role in fashioning a settlement proposal and it is our view that the availability of an ADR and the incentive for OPA to avoid the costs and uncertainties of a disputed oral hearing were critical factors enabling settlement.

Contrary to OPA's assertion, there are certainly contentious issues and Mr. Lyle's reference to the benefits of avoiding the need to address issues overlapping with the IPSP process increases the need for the revenue review to be treated seriously. For example, OPA has indicated in its business plan that it is proposing to pursue revenues from the disposition of environmental attributes. In GEC's view, such a proposal would work at cross-purposes with both the OPA's and the public's CDM efforts unless a rigorous cap and trade mechanism is first created and is therefore premature. If the Board were to rubber stamp this effort, as OPA seems to seek, there could be much confusion and damage done to the sector and the IPSP process.

Mr. Lyle implies that the OPA should be subject to a lower standard of review than privately-owned regulated utilities. While OPA certainly operates with different incentives due to its ownership and mission, we do not view this as diminishing the legislated requirement for meaningful OEB review at this critical juncture.

We certainly hope that an oral hearing and the requirement of extensive Board deliberations will be avoided as it has been in the past. To increase the chance of that occurring we urge the Board not to pre-determine the need for such a hearing. Rather, we suggest that the Board await the outcome of a mandated ADR to determine the form of hearing required, if any.

5. Contact information is as follows:

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Sincerely,

A handwritten signature in black ink, appearing to read 'David Poch', with a stylized flourish at the end.

David Poch