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January 25, 2011

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File No: 111301

VIA COURIER AND E-MAIL

Kirsten Walli
Ontario Energy Board
2300 Yonge Street
Toronto, Ontario M4P 1E4
boardsec@oeb.gov.on.ca

Dear Ms. Walli:

**Re: EB-2010-0377, EB-2010-0378 and EB-2010-0379; Cost Eligibility
Canadian Energy Efficiency Alliance (the "Alliance")**

I am writing on behalf of the Alliance in response to Mr. Parker Gallant's letter objecting to the Alliance's request for cost eligibility. The Alliance will comment on some of Mr. Gallant's points in the order in which they were made. It will not reply to his comments of a more personal nature.

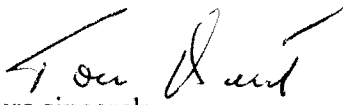
1. Lateness. The Alliance admitted that it was late and apologized to the Board. The Board has the discretion to grant late intervention requests.
2. Non-Government Character. The Alliance consists mainly of investor owned companies, utilities owned by local or provincial governments, and Associations focused on energy efficiency. Investor owned companies include Union Gas, Enbridge, P&G, Sony, Lio and Associates, Roxul and Enerquality. The common thread is the organizations' commitment to improving energy efficiency.
3. The Alliance as Lobbyist. The Alliance is registered as a lobbyist, but so are most organizations that advocate to governments in order to comply with the law. Lobbyist status is not relevant to whether it is eligible for costs (EB-2010-0059).
4. Funding from the Ontario Government. The Alliance has received a grant from the Ontario Government, but the money is earmarked to specific projects to advance energy efficiency in the transportation sector. None of that money can be used to support participation in OEB proceedings. Receipt of public funds does not disqualify an entity



from eligibility for costs at the Board (EB-2010-0059). The Alliance does not have funds of its own to support the cost of such participation.

6. Members Appearing Before the Board. The fact that Alliance members, Ontario Power Generation and Hydro One may appear independently in these proceedings should not affect the eligibility of the Alliance for costs. Ontario Power Generation is a major generator, and will not focus on energy efficiency. Hydro One will have energy efficiency as one of many areas of interest. The Alliance is an organization dedicated to energy efficiency.

I hope these comments have been helpful.



Yours sincerely,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd