

IN THE MATTER OF a proceeding initiated by the Ontario Energy Board to determine whether the costs and damages incurred by electricity distributors as a result of the April 21, 2010 Minutes of Settlement in the late payment penalty class action, as further described in the Notice of Proceeding, are recoverable from electricity distribution ratepayers, and if so, the form and timing of such recovery.

EVIDENCE IN SUPPORT OF THE COST CLAIM OF DONALD RENNICK

1. Section 4.02 Ontario Energy Board's Practice Direction on Cost Orders directs applicants to submit objections for cost eligibility to the Board within 14 days from the filing of a notice of intervention and request for cost eligibility. The EDA failed this requirement therefore, in my opinion, their objection is purely academic.
2. Ontario Energy Board's Practice Direction on Cost Orders does not preclude individual intervenors from submitting cost claims based upon their time. Please find Schedule "A" attached in support of the time claimed.
3. It is highly unlikely that the Board has, as the applicant has suggested, "*disallowed a similar cost claims by Mr. Rennick on other occasions*"(sic), since this is the first claim for time spent that I have submitted for the Board's consideration.
4. A consultant is a professional who provides professional or expert advice in a particular area. My degree as a Chartered Accountant (1966) certainly qualifies me as a professional in the areas of accountancy and finance. In addition, my 30 years of business experience have provided me with the expertise to intervene in this matter on a level with any of my co-intervenors.
5. The hourly rate requested is well below the range of \$170 - \$330 allowed by the Ontario Energy Board's Practice Direction on Cost Orders and as such is reasonable.
6. I meet the Cost Eligibility criteria of Section 3 and have followed the Cost Eligibility Process of Section 4 and have maintained the Principles in Awarding Costs of Section 5 of the Ontario Energy Board's Practice Direction on Cost Orders.

7. I suggest that the objection of the EDA to my request for costs is without merit and additionally does not meet the filing requirements of the Ontario Energy Board's Practice Direction on Cost Orders and ask that the claim be allowed as filed.

All of which is respectfully submitted.

D. D. Rennick, C.A.

