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Thursday, April 28, 2011

Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, ON
M4P 1E4

Attention: Kristen Walli, Board Secretary

Dear Ms. Walli:

Re: North Bay Hydro Distribution Ltd. (EB-2010-0102)
Application for 2011 Electricity Distribution Rates
Objection to Cost Claim submitted by D. D. Rennick

On December 6, 2010 the Ontario Energy Board ("the Board") posted its Notice of Intervention of Mr. Donald D. Rennick ("Mr. Rennick"). The Board accepted Mr. Rennick's request for intervenor status and determined that Mr. Rennick was eligible to apply for an award of costs under its *Practice Direction on Cost Awards* in relation to North Bay Hydro Distribution Ltd's ("NBHDL") request for revenue-to-cost ratio adjustments. The following information was also provided as guidance for costs that may or may not be recovered in a cost award:

- *you may be eligible to recover out-of-pocket costs for photocopying or for travel to attend Ontario Energy Board related events if required;*
- *you will not be eligible to receive any costs (out-of-pocket travel costs or otherwise) for events organized by persons other than the Ontario Energy Board;*
- *you will likely not be eligible to receive any costs associated with your time (e.g., the time you spend preparing interrogatories, submissions, etc.); and*
- *no costs are available in advance.*

NBHDL objects to Mr. Rennick's cost claim for 11 hours of time in relation to arguments prepared for this application on the following grounds:

1. There were no references or comments in Mr. Rennick's interrogatories, additional interrogatories or final submission with respect to the revenue-to-cost ratio adjustment proposed by NBHDL which was the only aspect of the application eligible for an award of costs. The majority of Mr. Rennick's submissions were directed towards the tax savings model and the regulatory principles guiding it with a few questions regarding the Rate Generator Model and the Deferral and Variance

Account Model; these components of the rate application were not eligible for cost awards according to the Board's Notice of Intervention.

2. While Mr. Rennick claims that he represents the direct interest of consumers in relation to regulated services, presumably North Bay Hydro customers, there is no substantiation of this claim. NBHDL submits that Mr. Rennick is acting as an individual ratepayer.
3. Despite Mr. Rennick's *curriculum vitae*, NBHDL submits that Mr. Rennick's intervention was that of an individual and not as a consultant or expert. Mr. Rennick has participated in 3 hearings which have directly impacted NBHDL; however, in light of the complexity of the regulatory industry NBHDL does not believe this qualifies him as an expert or an appropriate consultant.
4. Mr. Rennick's claim appears to be for his personal time; the Board reminded Mr. Rennick that he would likely not be eligible to receive any costs associated with his time as an individual intervenor.

NBHDL respectfully objects to Mr. Rennick's cost claim in its entirety.

NBHDL did not object to Mr. Rennick's request for intervenor status as the company believes that a transparent, inclusive application process benefits all, however, NBHDL maintains that a ratepayer acting as an individual intervenor should do so on their own accord.

Two hard copies of this submission will be sent via courier. An electronic copy of the response in PDF format will be submitted through the Ontario Energy Board's RESS.

An electronic copy of the response in PDF format will be forwarded via email to the Intervenor as follows:

Donald Rennick

- a) Donald Rennick, Independent Participant

Vulnerable Energy Consumers Coalition

- a) Michael Buonaguro, Public Interest Advocacy Centre
- b) William Harper, Econalysis Consulting Services Inc.

Yours truly,

Original signed by

Todd Wilcox,
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