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May 12, 2011  
File No.: 287118.00001

**VIA ELECTRONIC FILING AND EMAIL**

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

Dear Ms. Walli:

**Re: Late request for Participant Status and Cost Award Eligibility**

**Three initiatives of the Renewed Regulatory Framework for Electricity (EB-2010-0377 ; EB-2010-0378 ; EB-2010-0379)**

We are writing on behalf of the Canadian Federation of Independent Business (“CFIB”) to seek participant status and cost award eligibility in all three priority initiatives to be undertaken in developing the renewed regulatory framework for Electricity.

**Late request for Participant Status and Cost Award Eligibility:**

CFIB apologizes to the Board for the lateness of its submission. CFIB accepts the record as is.

CFIB is interested in providing written submissions and participating in stakeholder consultation conferences hosted by Board staff during this process.

**Request for Participant Status and Cost Award Eligibility:**

We understand from the Board’s letter, dated December 17, 2010 (specifically, Appendix A re: Cost Awards), that the Board anticipates that other activities associated with the three policy initiatives, such as the provision of written comments on Board staff discussions papers, will also be eligible for cost awards. It is for those future activities that the CFIB seeks participant status.

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CFIB requests participant status in this proceeding and seeks a determination that it is eligible for a cost award on the following grounds:

1. Founded in 1971, CFIB is a not-for-profit organization, public interest entity, representing the interests of more than 107,000 owners of small and medium-sized businesses, distributed across all industry sectors and all regions of Canada. CFIB is the largest self-employed organization in Canada. Approximately 42,000 of the 107,000 CFIB's members are located in Ontario. As such, CFIB's members represent a large portion of the commercial electricity consumers in Ontario.
2. CFIB aims at ensuring the economic development of its members - whether they are one person home-based businesses or companies employing hundreds of people -, for the best interest of their community and the citizens of Ontario.
3. The three related elements of a Renewed Regulatory Framework for Electricity identified by the Ontario Energy Board, such as i) fair and reasonable rate adjustment and predictable changes to the elements of customers bills stemming from distribution network investment planning, ii) the mitigation of the effects of unavoidable and significant rate/bill impacts in the rate mitigation consultation and iii) cost-effective and efficient establishment of appropriate standards for performance and efficiency by the utilities, the provision of appropriate incentives and the review of utilities performance - have significant impact on CFIB's members, as commercial electricity consumers, and ultimately on their community.
4. CFIB's members mirror and reflect the regional and economic diversity of Ontario, as they include many commercial sectors such as agriculture, natural resources, construction, manufacturing, wholesale, retail, transportation, arts and information, finance, insurance, real estate and leasing, professional services, enterprises and administrative management, social services, hospitality, personal, miscellaneous services and others. As diversified commercial electricity consumers, CFIB's members are concerned with all matters pertaining to the supply and price of electricity.
5. CFIB and its members have an interest to participate in all three of the inter-related initiatives of the Renewed Regulatory Framework for Electricity given that they primarily represent the direct interests of small and medium businesses which are electricity consumers (e.g. ratepayers) in relation to regulated services.
6. As a non-profit organization, CFIB does not have access to any other funding sources. CFIB relies on the cost awards it receives from the Board to effectively participate in, and assist the Ontario Energy Board, in these regulatory processes. The Ontario Energy Board has determined in prior proceedings that CFIB is eligible for a cost award.

**CFIB Contacts:**

If the relief requested in this letter is granted, CFIB requests that further communications with respect to this matter be sent to the following:

**Satinder Chera, Vice-President**

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All of which is respectfully submitted,

**FASKEN MARTINEAU DuMOULIN LLP**



Richard D. Butler

RB/fd

CC: *Satinder Chera, CFIB*  
*André Turmel, Fasken Martineau DuMoulin LLP*  
*Paula Zarnett, BDR Consultant*