

March 25, 2008

Ms. Kirsten Walli, Board Secretary
ONTARIO ENERGY BOARD
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: EB-2007-0905 - Ontario Power Generation Prescribed Generating Facility
Payments - Motion for Late Intervention and Letter of Intervention of APPrO.**

We have been retained by the Association of Power Producers of Ontario (APPrO) as counsel for APPrO's intended intervention in the captioned proceeding. Please accept this letter as APPrO's motion for late intervention and letter of intervention herein.

We have consulted with counsel for OPG in respect of this request, and can advise that OPG does not object to late intervention by APPrO in this proceeding.

Description of the Intervenor.

APPrO is an organization representing over 95 percent of the generators in the Ontario electricity market. APPrO's members own and operate more than 30,000 MW of power generation capacity in the province. In addition to generators, APPrO's membership includes marketers, contractors, equipment suppliers, consultants, LDCs, fuel suppliers, service providers, financiers and individuals.

APPrO's mission is to promote the interests of its members within an open and competitive power industry in Ontario. In furtherance of its mission, APPrO regularly participates in public hearings and policy development consultations.

Interest in the Proceeding.

As reflected in the summary statement of APPrO's mission set out above, APPrO is interested in an open and competitive power industry in Ontario. The methodology for setting payments to Ontario's largest generator - Ontario Power Generation - and the payment levels so determined, will be significant determinants of Ontario's electricity pricing environment and thus of the ongoing health and sustainability of Ontario's electrical generation sector.

At this preliminary stage, APPrO would characterize its interest in the proceeding as support for a commercially reasonable fee methodology and level for OPG's regulated assets, in the interests of both OPG and toward better overall market pricing dynamics and a "level playing field" in both the near term and the longer term for the generation sector.

The foregoing is not an exhaustive statement of APPrO's interest in this proceeding. There may be other issues of interest to APPrO that arise or develop during the proceeding.

APPrO would also disclose to the Board and all parties that OPG is a member of APPrO. Having so noted, APPrO's fidelity is to its entire membership. APPrO seeks at all times to retain and reflect the perspective of the industry as a whole, and a balanced view of policy issues affecting the electricity industry and the public at large in Ontario. APPrO respectfully submits that the perspectives of the balance of the generator community, and of the other interests that APPrO represents will materially contribute to informing the Board's deliberations and decision in this case.

Intervention Request.

Pursuant to *Rule 23.05* of the Board's *Rules of Practice and Procedure* a person applying late for intervenor status must include in its letter of intervention reasons for the late application. Direction from APPrO regulatory interventions is provided by its Board. In this instance, obtaining such direction has required a number of internal discussions, which discussions were held following, and informed by, the outcome of the issues proceedings herein held in February.

As a late intervenor, APPrO would accept the record herein as it exists as of the date that the Board grants its request, including in particular the issues list as accepted by the Hearing Panel herein.

Costs.

Pursuant to the Board's Practice Direction on Cost Awards, APPrO is not applying for an award of costs at this time. APPrO reserves its right to apply for an award of costs herein should circumstances justify such an application later in this proceeding.

Communications.

APPrO requests that all communications and materials in this proceeding be directed to each of the following:

APPrO

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Yours truly,

MACLEOD DIXON LLP



Elisabeth DeMarco

c: David Butters (by e-mail)
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