October 29, 2012

Via email and courier

Ms. Kirsten Walli Board Secretary Ontario Energy Board Suite 2700 2300 Yong Street Toronto ON M4P 1E4 **NORTON ROSE** 

Barristers & Solicitors / Patent & Trade-mark Agents

Norton Rose Canada LLP
TD Waterhouse Tower, Suite 2300
Toronto-Dominion Centre
79 Wellington Street West, P.O. Box 128
Toronto, Ontario M5K 1H1 CANADA

F: +1 416.360.8277 nortonrose.com

On January 1, 2012, Macleod Dixon joined Norton Rose OR to create Norton Rose Canada.

Robert Frank +1 416.202.6741 robert.frank@nortonrose.com

Our reference 01131041-0016

Assistant +1 416.202.6746 sharon.sorensen@nortonrose.com

Dear Ms. Walli:

Renewed Regulatory Framework (RRFE) EB-2010-0377 / 0378 / 0379, EB-2011-0043, EB-2011-0004 Electrical Contractors Association of Ontario (ECAO)

As counsel to ECAO in this matter, we write pursuant to the Board's letter of October 18, 2012 to request that ECAO be determined eligible for recovery of its reasonably incurred costs of participation in the consultation activities relating to the RRFE. ECAO seeks cost eligibility pursuant to Rules 3.03(b) and/or 3.04 of the Board's *Practice Direction on Cost Awards*, as a party representing a public interest relevant to the Board's mandate.

ECAO is a not-for-profit corporation established to represent electrical contractors across Ontario. ECAO's 850 member contractors provide a broad range of electrical services in the institutional, commercial, industrial, residential and electrical utility construction and maintenance marketplace. The services provided include: planning, siting, construction and maintenance of power lines, poles and transformers; construction and maintenance of substations; construction and maintenance of power generation equipment and facilities (powerhouses and all related inside and interconnection wiring); and construction and maintenance of interconnection facilities.

ECAO has a direct interest in the regulation of electrical transmission, distribution and related interconnection facilities. ECAO's members have done extensive work constructing connection facilities for Ontario's privately developed electricity generation facilities, and its members and their customers are directly affected by and interested in the regulation of network investment plans by transmitters and distributors. Further, ECAO has a unique ability to contribute to the Board's coordinated consultative process by drawing on the extensive industry experience of its members. ECAO welcomes the opportunity to provide the Board with its perspective on public interest issues such as economic efficiency of electricity transmission and distribution delivery, and the cost-effectiveness of network investment planning, including issues such as: evaluation of capital construction input costs; contracting out, competitive procurement, the importance of competitive markets and the definition of network assets; in-house performance of capital construction; and evaluation mechanisms, including benchmarking models.

Norton Rose Canada LLP is a limited liability partnership established in Canada. Norton Rose Canada LLP together with Norton Rose LLP, Norton Rose Australia, Norton Rose South Africa (incorporated as Deneys Reitz Inc) and their respective affiliates constitute Norton Rose Group, an international legal practice with offices worldwide, details of which, with certain regulatory information, are at nortonrose.com

Ms. Kirsten Walli Board Secretary Ontario Energy Board October 29, 2012

## **NORTON ROSE**

## **Communications**

Please direct all communications relating to EB-2010-0377 and EB-2010-0379 to:

## ELECTRICAL CONTRACTOR ASSOCIATION OF ONTARIO

460, 170 Attwell Drive Toronto, ON M9W 5Z5

Attention: Mr. Eryl Roberts

**Executive Vice-President** 

Tel:

(416) 675-3226 Ext. 311

Fax:

(416) 675-7736

E-mail: eroberts@ecao.org

**NORTON ROSE CANADA LLP** 

Toronto Dominion Centre TD Waterhouse Tower 79 Wellington Street W., Suite 2300 P.O. Box 128

Toronto, ON M5K 1H1

Attention: Robert Frank

Tel:

(416) 202-6741

Fax: (416) 360-8277

E-mail: Robert.Frank@nortonrose.com

Yours truly,

Robert Frank

RIF/ss