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May 29, 2013

File #57695

VIA MAIL AND EMAIL BoardSec@ontarioenergyboard.ca

Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: Northwestern Ontario Associated Chambers of Commerce (NOACC) Request for Cost Eligibility in File No. EB-2011-0043 in relation to Proposed Amendments to the Distribution System Code and the Transmission System Code

Cost Award Eligibility

The Northwestern Ontario Associated Chambers of Commerce (NOACC) seeks consideration as a person eligible to receive cost awards made pursuant to section 30 of the *Ontario Energy Board Act* in relation to the above noted proposed amendments to the Distribution System Code (DSC) and the Transmission System Code (TSC).

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Representation and Collaboration

The Law firm of Weiler, Maloney, Nelson are retained by the City of Thunder Bay as the City's external counsel, in this instance. The City of Thunder Bay, the Northwestern Ontario Municipal Association (NOMA) and NOACC, however, are agreed that the law firm of Weiler, Maloney, Nelson, as directed by the Board, will submit comments in relation to the proposed amendments to the TSC and DSC on behalf of all three of them.

Background

NOACC represents over 2000 commercial and business consumers in the Northwest Region, primarily small business in their capacity as ratepayers for regulated services. NOACC membership covers a large geographical area. It includes every Chamber of Commerce from Marathon to the Manitoba border. NOACC's members will be directly affected by the proposed amendments to the DSC and TSC and the impact those amendments will have on the future reliability, quality and robustness of the power supply in the Northwest Region. As a result members of NOACC will be directly impacted by the said proposed amendments.

Cost Awards

NOACC represents the direct interest of small business and consumer ratepayers in relation to regulated services, and can offer clearly defined consumer needs, and important and unique perspectives to the Board. The proposed amendments to the DSC and TSC impact those ratepayers who are often dependent for their livelihood on a single industrial employer in a town, and now depend also on the robust mineral exploration programs in the Northwest Region. Planning for, and cost responsibility in relation to, a reliable, affordable and renewable supply of electricity is a necessity for the economic wellbeing of NOACC members.



The businesses forming the membership of NOACC are not ineligible by reason of any of the criteria contained in section 3.05 of the *Practice Direction on Cost Awards*.

NOACC represent a public interest in seeking to ensure the proposed amendments to the TSC and DSC take into account the unique nature of the Northwest, as a region, for both the businesses in the Northwest Region and the industries that they supply with goods and services. In addition, NOACC represents persons with a significant interest in land that is, or may be, affected by the proposed amendments to the TSC and DSC in relation to planning for, and cost responsibility in relation to, a reliable, affordable and renewable supply of electricity. That interest in some instances may be a private interest, but in every case is a public interest.

NOACC asks as well that with respect to eligibility for costs that consideration be given to the efficiency gained by the collaborative representation of NOACC, NOMA and the City of Thunder Bay in this Process.

Spokespersons for the City of Thunder Bay, NOACC and NOMA

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- Nicola A. Melchiorre, Partner in the firm of Weiler, Maloney, Nelson (called to the Bar in 2004, licenced by the Law Society of Upper Canada to practice law in Ontario).



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Please contact the undersigned should further information or clarification be required

Yours very truly,

WEILER, MALONEY, NELSON

Per:

John A. Cyr

JAC/mm