



*PUBLIC INTEREST ADVOCACY CENTRE*

*LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC*

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August 14, 2013

**VIA E-Mail**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
Toronto, ON  
M4P 1E4

**Re: EB 2013-0193 Milton Hydro Distribution Inc.  
VECC Reply re: Objection to cost claim**

Dear Ms. Walli:

We are counsel for the Vulnerable Energy Consumers Coalition (VECC) in the above noted matter and in that capacity have received correspondence from Milton Hydro of August 9 objecting to an award of costs to VECC for its participation.

Milton Hydro filed a Motion to vary the Board's EB-2012-0148 Decision and Order to permit Milton to recover an LRAM amount of \$107,762 for 2010 CDM programs persistent in 2011 and 2012 on the basis that the Board failed to take into consideration the facts presented in its 2011 COS Rate application and IRM3 application EB-2012-0148 in relation to Milton Hydro's responses to Board Staff and intervenor interrogatories and Milton Hydro's submissions. VECC reviewed the materials and made submissions opposing the motion. Milton's motion was unsuccessful as it was dismissed by Board order of July 4, 2013.

There appears to be no dispute concerning the time spent by VECC representatives on the file with respect to its participatory input. The essence of the complaint of Milton Hydro is that VECC's opposition to recovery of the amount claimed subverted the long term benefits of conservation to its constituents or was geared to produce an unfair result to the utility.

As the latter argument has been settled by the Board order, the remaining objection must be examined. In essence, Milton's Hydro's contention is that good intentions, and the production of a public benefit at the end of the day, should be sufficient to insulate the utility from ratepayer complaints. With respect, this position is untenable.

VECC believes that most operations of regulated utilities are carried on in a manner that ultimately produces benefits for the ratepayers and citizens of Ontario. However, that is not the determinant test for avoiding regulatory scrutiny. It is the job of regulation to impose regulatory reporting standards, implement efficiencies and cost effective solutions so that just and reasonable rates are produced and the industry is secure. Yes, it is important to have conservation programs, but they don't get a bye simply because they seek to reduce demand for energy consumption. Ratepayers have a right to expect that these programs are delivered on an efficient and least cost basis, in accordance with established regulatory standards of oversight.

With respect VECC cannot accede to Milton Hydro's new proposed conditions for intervention. VECC requests that its cost claim in the within matter be accepted.

Thank you.

Yours truly,



Michael Janigan  
Counsel for VECC

cc: Cameron Stewart, Milton Hydro