



PUBLIC INTEREST ADVOCACY CENTRE

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Kirsten Walli
Board Secretary
Ontario Energy Board
Ontario Energy Board
P.O. Box 2319

Re: Review of Framework Governing the Participation of Intervenors in Board Proceedings – Board File No. EB-2013-0301 Concluding Phase I Submissions of the Vulnerable Energy Consumers Coalition (VECC) and the Public Interest Advocacy Centre (PIAC)

Having reviewed the submissions of the interested parties in this proceeding and attended the stakeholder conference convened to discuss the same, the Vulnerable Energy Consumers Coalition (VECC) together with the Public Interest Advocacy Centre (PIAC) have some concluding remarks based upon that participation. The comments will strive to be non-repetitive of the submissions already made by VECC/PIAC both in written form and at the stakeholder conference. While it is always a matter of judgment in finding consensus, we hope these remarks may assist the Board in this phase of its endeavor.

1. The Intervenor/Cost Award system is working well. There was no push back to the statistical analyses presented by the intervenors that showed the effectiveness of interventions in saving ratepayers on neither their energy bills, nor any dispute that the cost award system was out of control given its modest expansion in an era of restructuring and increased regulation. Many intervenors wanted to know what were the problems that were perceived by the Board that its letter sought to address.
2. Problems are case specific rather than systemic – From time to time in individual cases, problems can arise with interventions. There was considerable discussion whether these problems are best resolved by access to remedies under the current Rules, or whether new procedures are necessary. Among some proponents of more filings such as budgets by the intervenors, there was a desire for early case cost containment and certainty. Among the opponents of such measures, the chief reasons for opposition included more bureaucracy, problems scoping proceedings at an early

junction, and the fact that caps and budgets seem to become the actual cost award amount as the level of the work adjusts to the same.

3. Representation of Intervenor - There appears to be continuing concern in some utility quarters that the concerns of intervenors are not being sufficiently reflected by their representatives. It seems this is not so much a problem of potential "selling out" of client interests as a worry about how much the client may be up to speed on OEB proceedings. VECC/PIAC believes that it is difficult to devise a one size fits all protocol for intervenor/representative relations that would also meet with counsel confidentiality requirements. One initiative that could provide some assurance, would be to have the Board's orders associated with the issues list and other on-going matters in a proceeding read with more detail and at a level that non-practitioners can easily understand.

4. The success of the current system should be celebrated. Many intervenors, VECC included, thought that this intervenor/cost award program based on OEB regulatory policy of encouraging the diversity of public participation should be celebrated rather than the periodic fussing with largely ad hoc problems correctable under the Rules. The program has saved literally billions of dollars and contributed to a less restive customer population. That should be so noted.

All of which is respectfully submitted this 16th day of October 2013



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cc: All parties – via email