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November 22, 2013

Kirsten Walli  
Board Secretary, Ontario Energy Board  
P.O. Box 2319  
27<sup>th</sup> floor – 2300 Yonge Street  
Toronto, Ontario M4P 1E4

Dear Ms. Walli,

**Re: Ontario Power Generation Inc. Application re 2014-2015 Payment Amounts  
for Prescribed Generation Facilities  
Retail Council of Canada – Request for Participant Status and Cost Award  
Eligibility  
Board File No.: EB-2013-0321**

We are writing to seek participant status and cost award eligibility with regard to the Ontario Energy Board (the “Board”)’s proceedings regarding proposed payment amount increases for Ontario Power Generation (“OPG”)’s prescribed generation facilities on behalf of our client, the Retail Council of Canada (“RCC”). If successful, RCC intends to attend and actively participate in all aspects of the Board’s proceedings.

**Request for Participant Status**

RCC requests intervenor status based on the following:

1. RCC represents Ontario and Canada’s retail sectors. RCC’s members account for 80% of total retail sales in the country.
2. The retail sector provides jobs for over 800,000 people in Ontario and is the Province’s second largest employer. Ontario is home to Canada’s largest collection of best-in-class retail chain head offices, distribution centres and store locations, vital links in Ontario’s economy.
3. As ratepayers, Ontario retailers of all sizes and varieties are commercial or business consumers dependent on electricity to operate, remain competitive and provide jobs and economic activity. As a result, retailers, in their capacity as ratepayers have an important stake in the proposed rate increases, the justification

and methodology provided by OPG and issues relating to the efficient pricing of electricity generated by OPG.

### **Request for Cost Award Eligibility**

RCC is seeking a determination of cost award eligibility based on the following grounds:

1. RCC is a not-for-profit organization funded by membership, sponsorships fees and revenues that it derives from the services it provides to Federal and Provincial Governments and Agencies in furtherance of the retail trade in Canada.
2. RCC is the premier policy voice for retailers across Ontario and Canada. As such, RCC represents the direct interests of Ontario retailers as commercial and business consumer ratepayers in relation to the regulated services covered by this proceeding.
3. Retailers of all sizes and varieties have an important perspective on the cost and quality of electricity generation because of their specific electricity consumption patterns, which differ in material respects from other industrial and commercial electricity users. Hearing a retailer perspective will be helpful to the Board in this proceeding.
4. RCC's ability to actively participate in this proceeding is dependent upon a determination that it is eligible for a cost award. The Board has previously found RCC eligible for a cost award in the Renewed Regulatory Framework for Electricity consultation [EB-2010-0377 *et al.*] and the consultation process on incentive rate making options for Ontario Power Generation's prescribed generation assets [EB-2012-0340].

### **RCC Contacts & Representative**

If the relief requested in this letter is granted, RCC intends to retain Zizzo Allan Professional Corporation to represent it in this matter.

RCC requests that further communications related to this matter be sent to the following:

Retail Council of Canada  
Suite 800 – 1881 Yonge Street  
Toronto, ON M4S 3C4

Zizzo Allan Professional Corporation  
41-A Avenue Road  
Toronto, ON M5R 2G3

#### **Gary Rygus**

Director,  
Government Relations (Ontario)  
Tel: (416) 922-0553 ext. 225  
Fax: (416) 922-8011  
Email: grygus@retailcouncil.org

#### **Travis J. Allan**

Partner  
Tel: (416) 417-1195  
Fax: (888) 734-9459  
E-mail: travis@zizzoallan.com

#### **Jonathan Farkouh**

Manager, Member Programs  
Tel: (416) 922-6678 ext. 319  
Fax: (416) 922-8011  
Email: jfarkouh@retailcouncil.org

#### **Laura Zizzo**

Partner  
Tel: (416) 817-5140  
Fax: (888) 734-9459  
E-mail: laura@zizzoallan.com

In addition to electronic copies, RCC requests that OPG provide a hard copy of its application and any other supporting materials to its counsel, Travis Allan.

Please contact me if the Board requires any further information in relation to these requests.

Sincerely,

**Zizzo Allan Professional Corporation**

[Signed Original Sent to Board]

Travis J. Allan

CC: C. Anderson, OPG Regulatory Affairs  
G. Rygus, RCC  
J. Farkouh, RCC  
L. Zizzo, Zizzo Allan Professional Corporation