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August 6, 2014

Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

Re: EB-2014-0234

We are writing in regard to intervenor costs in the above-referenced matter.

While preparing to serve the Notice of Application in accordance with the Board's Letter of Direction, it came to our attention that 13 intervenors requested cost eligibility in Union's rate application EB-2013-0365. Goldcorp does not yet know if it will be held responsible for intervenor costs in this proceeding, and is concerned about the potential magnitude of such costs. Assuming there are 13 eligible intervenors in this proceeding who on average claim \$5000 in costs, the total intervenor cost claim could amount to \$65,000. In light of the possibility of such a large total cost claim, Goldcorp requests that the Board advise upfront whether it expects Goldcorp to bear responsibility for and whether there are any restrictions on intervenor costs. Goldcorp requires this information upfront for budgeting purposes, and to evaluate whether it should proceed with its application in light of the potential significant financial cost.

Goldcorp submits that the intervenors from Union's last rate application should not be granted eligibility for cost awards in this proceeding. Goldcorp's application only requested the Board to order Union to recalculate a contribution in aid of construction ("CIAC") it charged to Goldcorp. Goldcorp's application made no proposal regarding Union's recovery of any adjustment to Goldcorp's CIAC. Therefore, Union's recovery of any adjustment to the CIAC is beyond the scope of this proceeding.

Should Union wish to recover any amounts related to an adjustment to Goldcorp's CIAC, Union will have to do so in a future rate application in which its ratepayer representatives can intervene. Further, even if Union wants to record any CIAC adjustments arising from this proceeding in a deferral account, presumably it would have to apply to the Board for approval to use such a deferral account. Intervenors

could also participate in that application. Therefore, Union's ratepayer representatives will have ample opportunity to address any rate consequences proposed by Union that are associated with any CIAC adjustments arising from Goldcorp's application. For these reasons, Goldcorp submits that it is unnecessary to grant eligibility for cost awards to Union's ratepayer representatives in this proceeding.

Another consideration that Goldcorp wishes to bring to the Board's attention is that the Board held that a CIAC is a "rate" in an NRG proceeding (EB-2012-0396). NRG has only one or two ratepayer representatives that regularly intervene in its rate applications. Therefore, it would be relatively inexpensive for an NRG customer to challenge a CIAC. However, because multiple ratepayer representatives regularly intervene in Union's rate applications, the cost for a Union customer to challenge a CIAC could be prohibitive, resulting in a deterrent for Union's customers.

Goldcorp submits that the standard practices for intervenor cost eligibility should not apply to Goldcorp's application, since Goldcorp's financial exposure would be too great. Should the Board wish to grant cost eligibility to Union's ratepayer representatives (and we do not believe the Board should), we request that it be done so on an extremely limited basis. There are a number of ways the Board could do this. For example, perhaps two ratepayer representatives could be eligible for costs, one representing the interests of residential customers and the other representing the interest of commercial customers. This type of approach was used by the Board the East-West Tie Line proceeding (EB-2011-0140).

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Andrew Taylor", with a stylized, flowing script.

Andrew Taylor