

# *Aiken & Associates*

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October 8, 2014

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
Suite 2700  
Toronto, Ontario, M4P 1E4

Dear Ms. Walli:

**RE: EB-2014-0002 – Horizon Utilities Corporation - Distribution Rates 2015-2019 - Motion of the City of Hamilton - Submissions of Energy Probe Research Foundation**

On behalf of Energy Probe Research Foundation ("Energy Probe"), I am writing with respect to the above noted Motion of the City of Hamilton in the above noted rates proceeding, EB-2014-0002. Due to a previous medical appointment I will be unable to attend on Thursday October 9, 2014 in person or by telephone. Please accept this letter as the submissions of Energy Probe regarding the City of Hamilton's motion.

The City of Hamilton is an intervenor in this proceeding and on September 4, 2014 filed a Notice of Motion and Motion Record with the Ontario Energy Board ("Board") that sought the following:

- a) An order freezing the rates of Horizon Utilities Corporation ("Horizon") for the streetlighting class at the 2014 levels for a period to be determined by the Board;
- b) In the alternative, an order requiring that the rates for the street lighting class, as they may be determined in EB-2014-0002, be interim, and be re-considered and, if appropriate, re-set following the outcome of the Board's considerations in EB-2012-0383;
- c) An order granting leave to withdraw the evidence of WattsWorth Analysis Inc. ("WW"), filed on behalf of the City of Hamilton; and
- d) Such other order as the Board deems appropriate.

On September 22, 2014, the City of Hamilton filed an Amended Notice of Motion that sought the following:

- a) An order that the rates for the street lighting class not be set until the report of Navigant Consulting Limited ("Navigant") in EB-2012-0383 has been received and acted upon;

b) In the alternative, an order requiring that the rates for the street lighting class be interim and reconsidered following receipt of the Navigant report and, if appropriate, re-set following the outcome of the Board's considerations in EB-2012-0383; and

c) Such other order as the Board deems appropriate.

Energy Probe has also reviewed the affidavits of Mr. Basilio and Mr. McGuire.

Energy Probe has had the opportunity to review the submissions of Julie Girvan on behalf of the Consumers Council of Canada ("CCC") dated October 7, 2014, along with Ms. Girvan's letter of the same date clarifying that the CCC's position was the same for the Amended Motion as it was in the original letter.

Energy Probe adopts Ms. Girvan's submissions and opposes the motion for the same reasons.

In addition, Energy Probe notes that the current policy with respect to the allocation of costs to the street lighting class has not been found to be wrong or based on faulty information.

Sincerely,

*Randy Aiken*

Randy Aiken  
**Aiken & Associates**

c.c. Mark Rodger, BLG  
Horizon Utilities, Regulatory Affairs  
Maureen Helt, Board Staff Counsel  
All Parties