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By email and mail

July 25, 2016

Kirsten Walli, Board Secretary
Ontario Energy Board
2300 Yonge Street, P.O. Box 2319
Toronto, ON M4P 1E4
Email: BoardSec@ontarioenergyboard.ca

To Ms. Walli,

**Re: EB-2016-0152 – Ontario Power Generation Inc. – Payment Amounts for the Period
2017-2021**

This letter is an application to intervene in the abovementioned proceeding on behalf of Lake Ontario Waterkeeper (LOW).

LOW is a non-political registered charity dedicated to working in the public interest by advocating for and protecting people's right to safely swim, drink, and fish in Lake Ontario. As a grassroots environmental organization, LOW empowers people in order to stop pollution, protect human health, and restore habitat. LOW's work is interdisciplinary, drawing on legal and scientific expertise, as well as the arts and digital media to achieve its goals. The organization also provides several research and education tools and resources to others working for swimmable, drinkable, and fishable water.

Since LOW was founded in 2001, it has contributed to over 100 formal decision-making processes before provincial and federal boards and tribunals as well as all levels of court including the Supreme Court of Canada. LOW has extensive experience facilitating expert research, providing recommendations on terms and conditions of project approvals, and evaluating the risks of various projects to watersheds and community values. LOW has also published over 400 articles about various issues affecting the swimmability, drinkability, and fishability of our water in Lake Ontario and elsewhere.

Recognizing its mandate to consider matters of public interest, the Ontario Energy Board (OEB) granted LOW intervenor status in the last electricity rates hearing for OPG (EB-2-13-0321). In its final decision for that hearing, the OEB Members adopted LOW's recommendation for OPG to include financial information about the environmental monitoring programs at the Darlington Nuclear Generating Station (DNGS) in its next rate application. LOW requests to intervene in the upcoming hearing in part to follow up on this requirement.

LOW expects to:

1. Test and clarify OPG's evidence with regards to the costs of environmental monitoring and permits for the DNGS; and
2. Help to ensure that the prudence and reasonableness of costs associated with the DNGS takes environmental costs and liabilities into account, especially those affecting the health of Lake Ontario.

LOW supports an oral hearing for this process. The organization believes an oral hearing would be more efficient and effective than just a written hearing, given the complexity and volume of information in OPG's application. Also, the OEB's public notice about this hearing explained that OPG's rates may only be reviewed to make adjustments for inflation until 2021. Given the fact that the next opportunity for a full review of OPG's rates may only occur time after 2021, an oral hearing at this time could be especially important.

LOW intends to request an order for costs. The organization is eligible for a cost award as it fits the definition of an eligible party under section 3.03(b) of the *Ontario Energy Board's Practice Direction on Cost Awards*. The organization represents a public interest relevant to the OEB's mandate, and does not fall under the prescribed list of ineligible parties in section 3.05. Given the OEB's mandate to regulate the energy industry in the public interest, LOW's work and expertise serving the public interest would contribute meaningfully to this goal.

Further, as LOW is a registered charity, relying on individual donations and grants in order to do its work, its intervention would not be possible without external funding. LOW will ensure the scope of the intervention only covers issues that are necessary and that fit with the organization's and OEB's mandate.

I do not request hard copies of any evidence or other hearing materials posted on the 'web drawer' webpage for OPG's application on the OEB's website.

This application is being submitted by email and two paper copies are being mailed to the Board.

Please don't hesitate to contact me at the coordinates provided above, should you have any questions or concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Pippa Feinstein', with a stylized, cursive script.

Pippa Feinstein