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Our File # 339583-0000238

By electronic filing

November 1, 2018

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th floor
Toronto, ON M4P 1E4

Dear Ms. Walli

Re: Association of Major Power Consumers of Ontario ("AMPCO")
Notice of Motion for Review of Decision and Order on Cost Awards in EB-2018-0085
Board File #: EB-2018-0304

We are writing on behalf of Canadian Manufacturers & Exporters ("CME") with regard to the Board's October 9, 2018 Decision and Order on Cost Awards in relation to OPG's Motion to review and vary the Decision and Order on the 2017-2021 payment amounts (the "Decision and Order").

In the Decision and Order, the Board found that cost awards would not be granted for activities after the Board's decision on the merits was issued.

On October 25, 2018, AMPCO brought a motion to review the Decision and Order. In its motion, AMPCO cited a number of grounds for review, including:

- 1) That the Board's previously established policy, as exhibited in a number of previous decisions, was to award a modest amount of costs to intervenors for reviewing and reporting on the Board's decision on the merits of the case; and
- 2) That sound regulatory practice commends facilitating the ability of intervening parties, through their representatives, to understand and be guided by the Board's decisions.

CME has reviewed the Decision and Order, as well as AMPCO's motion. CME supports AMPCO's motion.

CME is a consistent and active intervenor in the Board's regulatory process, and represents 1,400 member companies, which are primarily small and medium sized businesses. Given the technical nature of the subject matter, as well as complex issues that are often raised as part of the intervention process, CME submits that it is necessary for intervenors' consultants and counsel to review the Board's decisions in order to effectively communicate the impacts of the Board's decision on their client's members as well as on energy policy and practice in Ontario as a whole.

Furthermore, as the interests of CME's membership regarding energy regulation in Ontario is broadly-based and continuing, reviewing the Board's present decisions helps to inform CME's future interventions as well, tailoring the scope of CME's interventions as well as informing the positions advocated by CME.

Accordingly, CME supports AMPCO in its motion, and submits that the Board should continue to award a modest amount of costs for consultants and counsel of intervenors to review and report on the Board's decisions to their clients.

Yours very truly

Borden Ladner Gervais LLP



Scott Pollock

- c. Saba Zadeh (OPG)
- Ian Mondrow (Gowling WLG)
- Charles Keizer and Crawford Smith (Torys)
- All Interested Parties EB-2018-0085
- Alex Greco (CME)

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