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March 4, 2019

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto, ON  
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**Re: APPrO Intervention Request in EB-2019-0002: Independent Electricity System Operator 2019 Expenditure and Revenue Requirement Application**

Dear Ms. Walli:

We are counsel to the Association of Power Producers of Ontario (“APPrO”). The Independent Electricity System Operator (“IESO”) has filed its 2019 Expenditure and Revenue Requirement Application (EB-2019-0002) with the Ontario Energy Board (the “OEB” or the “Board”). APPrO hereby requests intervenor status in this proceeding.

APPrO is a non-profit organization representing more than 100 companies involved in the generation of electricity in Ontario, including generators and suppliers of services, equipment and consulting services. APPrO’s members produce electricity from natural gas, hydro, nuclear, wind, biogas and other sources.

APPrO has a record of frequent participation in OEB proceedings as an intervenor. In addition to the IESO’s 2017 and 2016 expenditure and revenue requirement proceedings, APPrO has participated in proceedings involving Union Gas, Enbridge, Hydro One and the former Ontario Power Authority, as well as OEB-sponsored consultations.

In accordance with the Board’s Practice Direction on Cost Awards (the “Cost Awards Direction”), APPrO is eligible to seek an award of costs from the IESO, as APPrO is a party that represents the direct interests of customers (generators and exporters) in relation to IESO services that are regulated by the Board (s. 3.03(a)).<sup>1</sup> Furthermore, although s. 3.05 of the Cost

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<sup>1</sup> APPrO notes that s. 3.03(a) of the Cost Awards Direction refers to “consumers” as opposed to “customers”. If s. 3.03(a) is meant to capture solely the definition of consumers as defined in the *OEB Act*

Award Direction stipulates that despite s. 3.03, generators are not eligible for a cost award, s. 3.06 states that notwithstanding s. 3.05, a party which falls into one of the categories listed in section 3.05 may be eligible for a cost award if it is a customer of the applicant.

Therefore, APPrO submits that it should be eligible for its reasonably incurred costs on the grounds that it represents a class of IESO customers in this proceeding. All APPrO generator members are participants in the IESO administered market ("IAM") and sell into it. APPrO members export significant energy through it to other neighbouring control areas. The IAM is their primary channel of sales. As a result, the IESO's costs are an important matter to APPrO membership.

Moreover, APPrO has applied for, been found eligible for and received costs in a number of proceedings including the above-noted IESO 2017 and 2016 expenditure and revenue requirement proceedings (EB-2017-0150 and EB-2015-0275), Hydro One's application for approval of its 2013/14 transmission rates (EB-2012-0031), as well as Hydro One's application for its 2011/12 transmission rates (EB-2010-0002). APPrO submits that it should once again be found eligible for its reasonably incurred costs in this proceeding.

APPrO intends to be an active participant in this proceeding, and will act responsibly to coordinate with other intervenors where common issues may arise and be otherwise addressed. APPrO intends to participate by requesting information, participating in any requisite motions, testing evidence through the stipulated processes, submitting written interrogatories and providing argument in accordance with the Board's procedures stipulated for this proceeding. Subject to the development of the record in this matter, APPrO may also submit evidence.

### **APPrO's Representatives**

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and *Electricity Act* (as opposed to, more broadly, customers of an applicant), APPrO is nevertheless eligible to apply for costs under s. 3.03 as APPrO primarily represents an interest or policy perspective relevant to the Board's mandate and to the current proceeding, pursuant to s. 3.03(b).

And to APPrO's counsel:

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Yours Truly,



George Vegh

cc: David Butters, President & CEO, APPrO  
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