

February 10, 2020

VIA RESS AND COURIER

Ms. Christine E. Long Registrar & Board Secretary **ONTARIO ENERGY BOARD** P.O. Box 2319, 27<sup>th</sup> Floor 2300 Yonge Street Toronto, Ontario M4P 1E4

Dear Ms. Long:

Ian A. Mondrow Direct: 416-369-4670 ian.mondrow@gowlingwlg.com

Assistant: Cathy Galler Direct: 416-369-4570 cathy.galler@gowlingwlg.com

## Re: EB-2019-0206: Resolute FP Canada Inc. (Resolute FP) Application for Amendment of IESO Market Rules.

Association of Major Power Consumers in Ontario (AMPCO) Withdrawal from Active Participation.

Having received the Registrar's determination that AMPCO will not be eligible for recovery of its reasonably incurred costs for participating in this matter, we write to advise that AMPCO will withdraw from active participation herein.

As noted in AMPCO's January 8th *Reply on Cost Eligibility and Responsibility* (page 3, top), AMPCO relies on cost recovery to sustain, and guide, its ongoing active, informed and responsible participation in the OEB's public interest proceedings. Eligibility for recovery (in reality partial recovery, given the difference between market rates and cost recovery rates directed in the Board's tariff) of reasonably incurred costs supports AMPCO's ability to participate fully in proceedings. Ineligibility would generally preclude full, and thus fully responsible, participation by AMPCO on behalf of the collective interests of its various (and in many respects different) members.

AMPCO appreciates the Board proceeding to determine eligibility for recovery of reasonable costs at the outset of this process, as advocated in AMPCO's January 8th submissions to the Board. This determination has in turn allowed AMPCO to determine on the basis of full information its ability to participate.

While AMPCO indicated in its intervention request that it would be mindful in its participation herein not to unduly duplicate the efforts of Resolute FP, the Board has effectively taken the view in its cost eligibility decision that AMPCO could offer little assistance to the Board in this matter beyond the perspective which Resolute FP itself brings to the matter. While AMPCO respectfully suggests that there is a distinction between the particular interests of one large industrial IESO Administered

Gowling WLG (Canada) LLP Suite 1600, 1 First Canadian Place 100 King Street West Toronto ON M5X 1G5 Canada

T +1 416 862 7525 F +1 416 862 7661 gowlingwlg.com

Gowling WLG (Canada) LLP is a member of Gowling WLG, an international law firm which consists of independent and autonomous entities providing services around the world. Our structure is explained in more detail at gowlingwlg.com/legal



Market participant and the shared interests of all the varied large industrial power consumers which make up AMPCO's membership, AMPCO also respects the Board's decision regarding its view of what will and will not be of assistance to it in this particular case.

Accordingly, AMPCO will withdraw from further active participation in this matter.

Yours truly,

andrall Ian A. Mondrow

c. Resolute FP Canada Inc. Independent Electricity System Operator C. Anderson (AMPCO) Intervenors of Record

TOR\_LAW\ 10208114\1