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February 5, 2021

**Delivered by Email and RESS**

Ms. Christine Long, Registrar  
Ontario Energy Board  
P.O. Box 2319, 27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto, ON M4P 1E4

Dear Ms. Long:

**Re: North Bay Hydro Distribution Ltd. 2021 Cost of Service Application  
OEB File No.: EB-2020-0043  
Response to Intervenor Request Letter**

We are writing on behalf of North Bay Hydro Distribution Ltd. (the “Applicant”) in response to the request for intervenor status filed by Donald D. Rennick (“Mr. Rennick”).

In his request for intervenor status Mr. Rennick stated:

*“I am a resident of North Bay and a customer of the North Bay Hydro Distribution Limited.  
I will be affected financially by the amount of delivery charges being levied by them and included in my hydro bills.”*

The Applicant has no objections to Mr. Rennick’s request for intervenor status as a natural person who is a resident of North Bay and a customer of the Applicant. Mr. Rennick has previously participated in various hearings involving the Applicant.

In his request for intervenor status, Mr. Rennick goes on to state that:

*“I will be requesting an award for costs for my participation only in the event of an oral hearing.”*

Since Mr. Rennick is intervening in his individual capacity as an interested ratepayer, the Applicant submits that it would be helpful for the Ontario Energy Board (the “Board”) to provide clear guidance to Mr. Rennick on its practices as it relates to cost awards for individuals / natural persons.

The Applicant submits that there are three good reasons why providing specific guidance is important in this instance.

First, Mr. Rennick is a self-represented individual intervenor who may not have access to legal advice on the OEB's processes and procedures.

Second, when Mr. Rennick intervened in the Applicant's last cost of service application (EB-2014-0099) he did so on behalf of the North Bay Taxpayers' Association (the "NBTA") which was found eligible for cost awards under the Practice Direction. He may be under the mistaken belief that this should happen again in this case.

It is the Applicant's understanding that the NBTA has been defunct since August of 2018,<sup>1</sup> and therefore the Ontario Energy Board's previous decision on cost awards as it related to the NBTA is no longer applicable.

Third, the Applicant would like to avoid the unfortunate outcome that arose in the Board's Decision and Order on Cost Awards dated May 11, 2011 in EB-2010-0102 where Mr. Rennick claimed 11 hours of time that was subsequently found to be not eligible for recovery. The Applicant expects that this determination – which came at the end of the rate application process – likely disappointed Mr. Rennick.

The Applicant submits that by providing Mr. Rennick with clarity on the cost award process early in this proceeding, Mr. Rennick can then make an informed decision on his preferred level of involvement without the risk of him proceeding with incorrect expectations.

Yours very truly,

**BORDEN LADNER GERVAIS LLP**

Per:



John A. D. Vellone

cc: Donald D. Rennick

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<sup>1</sup> <https://www.nugget.ca/news/local-news/taxpayers-group-disbands>  
<https://www.baytoday.ca/local-news/taxpayers-association-calls-it-quits-1017565>