

**Ontario Energy
Board**
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'Énergie
de l'Ontario**
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL ONLY

September 30, 2008

James Huntingdon
Niagara-on-the-Lake Hydro Inc.
8 Henegan Road, P.O. Box 460
Virgil ON L0S 1T0

Dear Mr. Huntingdon:

**Re: SEC Request for Intervenor Status
Niagara-on-the-Lake Hydro Inc.
Application for Approval of 2009 Electricity Distribution Rates
Board File No. EB-2008-0237**

On September 25, 2008, the Board received a letter from Niagara-on-the-Lake Hydro Inc. (NOTL) in which NOTL objected to the Board granting intervenor status to School Energy Coalition (SEC). NOTL questioned whether SEC represents any school boards within the Town of Niagara-on-the-Lake. NOTL also questioned the value added by SEC in this application and the cost of SEC's intervention.

The Board has considered NOTL's submission and confirms SEC as an intervenor in this proceeding, as well as its cost eligibility status. In making this decision, the Board notes that SEC represents 5000 schools and 2 million students across Ontario including schools and students attending those schools in the Town of Niagara-on-the-Lake. In addition, the Board feels that it would be helpful to the rate setting process to have a ratepayer group such as SEC as a participant.

The Board recognizes that the costs of an intervention can be relatively significant for a smaller utility such as NOTL. The Board notes that the cost awards and therefore cost claims should recognize the financial ability of distributors to pay those costs. The Board will take these concerns into account when granting any cost award to SEC at the completion of this proceeding.

-2-

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

cc: Bob Williams, Ontario Education Services Corporation
John De Vellis, Shibley Righton LLP
Rachel Chen, Institutional Energy Analysis, Inc.