

**Ontario Energy
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**Commission de l'Énergie
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BY E-MAIL

October 1, 2008

Michael Buonaguro
Counsel
c/o Public Interest Advocacy Centre
34 King Street East, Suite 1102
Toronto, Ontario
M5C 2X8

Dear Mr. Buonaguro:

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

On September 12, 2008, the Board received a letter from Vulnerable Energy Consumers Coalition (VECC) requesting intervenor status and cost award eligibility for the Niagara-on-the-Lake Hydro Inc. (NOTL) application for approval of 2009 electricity distribution rates.

On September 24, 2008, the Board received a letter from NOTL in which NOTL objected to the Board granting intervenor status to the VECC. NOTL questioned whether the two organizations represented by VECC, the Federation of Metro Tenants Association and the Ontario Coalition of Senior Citizens' Organizations (OSCO) were actually represented within the Town of Niagara-on-the-Lake. NOTL also questioned the value added by VECC in this application and the cost of VECC's intervention.

The Board has considered NOTL's submission and confirms VECC as an intervenor in this proceeding. Furthermore, the Board has determined that VECC is eligible to apply for an award of costs under its Practice Direction on Cost Awards. The Practice Direction and related forms are available on the Board's Web site at www.oeb.gov.on.ca.

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

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Board will take these concerns into account when granting any cost award to VECC at the completion of this proceeding.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

cc: James Huntingdon, Niagara-on-the-Lake Hydro Inc.
Bill Harper, Econalysis Consulting Services