

**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**

October 7, 2008

Mr. Adam White  
President, AMPCO  
372 Bay Street, Suite 1702  
Toronto, ON M5H 2W9

Dear Mr. White:

**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 29, 2008, the Board received a letter from AMPCO 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 29, 2008, the Board received a letter from NOTL in which NOTL objected to the Board granting intervenor status to AMPCO. NOTL noted that the request was late, and questioned whether AMPCO has members in Niagara-on-the-Lake.

On October 1, 2009, the Board issued a letter to AMPCO requesting that AMPCO provide specific reasons for intervening in this application. The Board received a response from AMPCO on October 3. The Board has considered NOTL's objection to AMPCO's intervention request and has reviewed the reasons provided by AMPCO for its intervention. The Board hereby accepts the rationale provided by AMPCO for its intervention and confirms AMPCO as an intervenor in this proceeding. The Board has also determined that AMPCO is eligible to apply for an award of costs under the Board's 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](http://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 Board will take these concerns into account when granting any cost award to AMPCO at the completion of this proceeding. The Board will also review and consider the relevance of AMPCO's intervention to NOTL's application when reviewing any costs claimed by AMPCO.

Yours truly,

*Original signed by*

Kirsten Walli  
Board Secretary

cc: James Huntingdon, Niagara-on-the-Lake Hydro Inc.  
Christine Dade, AMPCO  
Shelley Grice, AMPCO