



CANADIAN NIAGARA POWER INC.

A **FORTIS** ONTARIO
Company

October 2, 2008

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700
P.O. Box 2319
Toronto, ON M4P 1E4

Dear Ms. Walli:

RE: 2009 ELECTRICITY DISTRIBUTION RATE APPLICATION BY CANADIAN NIAGARA POWER INC. – EASTERN ONTARIO POWER, EB-2008-0222 AND A REQUEST FOR INTERVENOR STATUS BY THE ASSOCIATION OF MAJOR POWER CONSUMERS IN ONTARIO

In the Notice of Application related to the above captioned matter issued by the Board on September 5, 2008, the Board provided instruction with respect to becoming an intervenor in this application. The Notice of Application stipulated that letters of intervention were to be received by the Board no later than 10 days from the publication or service date of this Notice. The letter of intervention must include a description of how the requesting intervenor is, or may be, affected by the outcome of this proceeding; and if the requesting intervenor represents a group, a description of the group and its membership. The Board may order costs in this proceeding. The requesting intervenor must indicate in its letter of intervention whether it expects to seek costs from the applicant and the grounds for its eligibility for costs. The requesting intervenor must provide a copy of their letter of intervention to the applicant.

Canadian Niagara Power Inc. – Eastern Ontario Power (“CNPI – Eastern Ontario Power”) published this Notice of Application on September 17, 2008 and provided the Board with an Affidavit to that effect on September 22, 2008.

On September 29, 2008, CNPI – Eastern Ontario Power received by copy a letter of Request for Intervention Status and Cost Eligibility from the Association of Major Power Consumers in Ontario (“AMPCO”). In this letter, AMPCO has described its interests in the above captioned Application as, “relates to matters that pertain generally to the

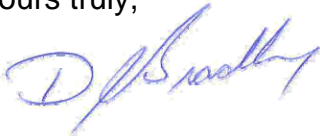
interests of consumers with respect to price, adequacy, reliability and quality of electricity service and specifically to the applicant's proposed allocation of costs to large customers."

On its public website, AMPCO describes its constituency or membership as consumers with a minimum average monthly demand of 3 megawatts (3000 kW). In its Request for Intervention Status and Cost Eligibility, AMPCO has stated "AMPCO is a frequent participant in the Ontario Energy Board ("OEB") proceedings in which matters of relevance to Ontario's large electricity consumers are being addressed."

CNPI – Eastern Ontario Power does not provide electricity distribution service to any consumers in its service territory that have a usage profile that can be interpreted to be a large electricity consumer as described by AMPCO nor has it forecasted any such consumers in the bridge or test year. The current largest consumer in CNPI – Eastern Ontario Power's service territory has an average monthly demand of approximately 600 kW.

CNPI – Eastern Ontario Power does not believe AMPCO's constituency is represented by electricity consumers in CNPI – Eastern Ontario Power service territory. CNPI – Eastern Ontario Power respectfully requests that the Board deny AMPCO's request for intervention status and cost eligibility.

Yours truly,



Douglas R. Bradbury
Director, Regulatory Affairs

Copy by Email;

Mr. Adam White
Ms. Christine Dade
Ms. Shelly Grice
Charles Keizer