

October 14, 2008

VIA FAX AND EMAIL

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HONORARY COUNSEL

Ian G. Scott, Q.C., O.C.
(1934 - 2006)

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: EB-2007-0691-Kruger Energy Inc. Application Under s. 81 re: 100
MVA substation in the Municipality of Chatham-Kent**

We act for the Power Workers' Union ("PWU"). By this letter the PWU seeks late Intervenor status in the above noted proceeding. Doing so, the PWU accepts the record of the proceeding as it stands.

The PWU represents a large portion of the employees working in Ontario's electricity sector and has an interest in regulatory proceedings that impact upon the provision of electricity service adequacy, reliability and safety to customers. Attached please find a list of PWU employers.

Kruger's application did not come to the attention of the PWU until very recently. As the person responsible for the monitoring of Energy Board proceedings which may impact upon the PWU, the responsibility for the failure to advert to this matter earlier is my own.

PWU submits that its intervention at this late stage will not interfere with the Board's early and prompt consideration and determination of this application. PWU does not seek to adduce evidence, or to adjust the Board's schedule in any way. The PWU will abide by any procedural orders the Board makes in the matter. The PWU is not seeking any costs award in relation to this matter.

The PWU is interested in ensuring that the application is in compliance with provisions of the *Ontario Energy Board Act*, 1998, including the requirements of s. 81 thereof. The PWU understands that the focus of the application is to determine whether the application adversely affects the development and

maintenance of a competitive market. As the representative of employees at numerous generators and transmitters this is an issue of interest to the PWU.

The PWU has retained Judy Kwik of Elenchus Research Associates as consultant and Paliare Roland for legal representation in this proceeding. Please provide copies of all communications with regard to the PWU's participation to:

John Sprackett
Staff Officer, President's Office
Power Workers' Union
244 Eglinton Avenue East.
Toronto, ON M4P 1K2
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And,

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And,

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Yours very truly,

PALIARE ROLAND ROSENBERG ROTHSTEIN LLP



Richard P. Stephenson
RPS:hrl

cc. Kruger Energy Inc.
Attention: Mr. Guy Paquette
Director Legal Affairs (*via email*)
gpaquette@kruger.com

Borden Ladner Gervais LLP
Attention: Mr. Andrew Smith (*via email*)
ansmith@blgcanada.com

List of PWU Employers

Atomic Energy of Canada Limited (Chalk River Laboratories)
Barrie Hydro
BPC District Energy Investments Limited Partnership
Brant County Power Incorporated
Brighton Beach Power Limited
Bruce Power Inc.
Corporation of the City of Dryden - Dryden Municipal Telephone
Corporation of the County of Brant
Electrical Safety Authority
EPCOR Calstock Power Plant
EPCOR Kapuskasing Power Plant
EPCOR Nipigon Power Plant
EPCOR Tunis Power Plant
Erie Thames Services Corporation
Great Lakes Power Limited
Grimsby Power Incorporated
Halton Hills Hydro Inc.
Hydro One Inc.
Independent Electricity System Operator
Inergi LP
Innisfil Hydro Distribution Systems Limited
Kenora Hydro Electric Corporation Ltd.
Kincardine Cable TV Ltd.
Kinectrics Inc.
Kitchener-Wilmot Hydro Inc.
Lake Superior Power (Brookfield Power)
London Hydro Incorporated
Middlesex Power Distribution Corporation
Milton Hydro Distribution Inc.
Mississagi Power Trust (Brookfield Power)
New Horizon System Solutions
Newmarket Hydro Ltd.
Norfolk Power Distribution Inc.
Nuclear Safety Solutions
Ontario Power Generation Inc.
Orangeville Hydro Limited
PUC Services Inc.
Sioux Lookout Hydro Inc.
Sodexho Canada Ltd.
TransAlta Energy Corporation - O.H.S.C. Ottawa
Vertex Customer Management (Canada) Limited
Whitby Hydro Energy Services Corporation