



October 22, 2008

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

**Re: Objection to Intervenor Letter from Northern Ontario Wires Inc.
2009 Electricity Distribution Rates, Board File No. EB-2008-0238**

Dear Ms. Walli:

I am writing in response to the letter from Northern Ontario Wires Inc. dated October 10, 2008 that I received on October 21, 2008 from the Board, asking the Board to deny AMPCO's request for intervention status and cost eligibility (along with Vulnerable Energy Consumers Coalition (VECC) and School Energy Coalition (SEC)) on the basis that AMPCO and the other intervenors do not have representation in the territory serviced by Northern Ontario Wires Inc.

The response below is similar to a letter AMPCO recently has filed in response to an objection from another utility who raised similar issues.

No AMPCO member is served directly by Northern Ontario Wires Inc. This should not be taken to mean that the interests of industry may be entirely unaffected by matters to be considered, or the decision of the Board, in this case. The Board's Notice of September 17, 2008 does not require an intervenor to meet such a standard. We would note that we have been granted intervenor status in previous distribution rate applications where no AMPCO member was served. The Board's notice requires that a prospective intervenor shall provide "a description of how you are, or may be, affected by the outcome of this proceeding; and if you represent a group, a description of the group and its membership."

AMPCO is a not-for-profit consumer interest advocacy organization. AMPCO's members represent a cross-section of Ontario's major industries—forestry, chemical, mining and minerals, steel, petroleum products, cement, automotive and manufacturing. Although AMPCO does not have a member within the franchise area, AMPCO member companies depend on a network of local suppliers and businesses of all kinds across Ontario. Our employees are customers. And our customers are electricity customers. We understand that our interests are best served when all consumers are well served. Because our members are often members of other organizations and associations, AMPCO works as far as possible in alliance with other groups, both outside and within OEB proceedings, including representatives of residential and commercial consumers.

As major investors, major employers and a major part of communities in which we operate, across Ontario, AMPCO members are interested in the fair and efficient regulation of the electricity sector. We are generally and legitimately interested in matters of energy policy, law and regulation. The record will show that our interventions are intended to improve the economic efficiency of the sector and to protect the economic interests of consumers, of all types and sizes. AMPCO and its representatives have been appearing before the Board and participating in its consultations for many years, creating a strong legacy of consumer interest advocacy. I would note as a point of interest that AMPCO's experience before the Board goes back many years before the Board assumed responsibility to regulate Ontario's electricity distributors.

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AMPCO participates in many proceedings, working groups, consultations and initiatives of the Ontario Energy Board. AMPCO has been a consistent participant in the Board's evolving approach to utility regulation and rate design over the past number of years. We have, for example, participated in Board working groups on distribution cost allocation, third generation incentive rate-making, distribution rate design, and distribution cost benchmarking.

Given our participation in the Board's various regulatory policy processes and working groups, we are also interested as a practical matter to understand how individual distribution companies are applying those guidelines. We are interested in utilities' interpretation and implementation of the Board's guidelines on cost allocation. We are also interested in utilities' approaches to rate design. And we are generally interested in the readiness of utilities to move forward into an incentive rate-making regime, as the Board has planned. A distinct advantage of being accorded intervenor status across the range of distribution rate applications is the opportunity it affords and to benchmark the practices of individual utilities regulated by the Board, another matter of interest to AMPCO.

Finally, regarding the financial impact of intervention requests on LDCs, the main rate payer groups convened a conference call on October 16, 2008 to discuss ways to work together to avoid duplication of effort and improve efficiency. The outcome of this conference call is summarized in a letter to the Board dated October 22 and a copy is attached. AMPCO is not intending to pursue a broad inquiry into the management, assets, operations and maintenance activities of Northern Ontario Wires Inc. We have a legitimate interest in utility regulation and we intend to participate in this application—and all others for which the Board approves our intervenor status—in a manner that is strategic, informed and constructive. Above all, we seek to promote and protect the interests of consumers.

I thank the Board for considering AMPCO's intervention request on this application and trust that the information provided is sufficient to grant AMPCO intervenor status and cost award eligibility.

Please do not hesitate to contact me if you have any questions or require any further information.

Sincerely yours,



Adam White
President
Association of Major Power Consumers in Ontario

Adam White
President

Copy to: Monika Malherbe, CFO, Northern Ontario Wires Inc.