



**EB-2008-0312**

**NOTICE OF APPLICATION AND HEARING  
ONTARIO POWER AUTHORITY  
PROPOSED 2009 REVENUE REQUIREMENT SUBMISSION FOR REVIEW**

The Ontario Power Authority ("OPA") is a non-profit agency of the Ontario Government established to ensure an adequate, reliable and secure supply of electricity in Ontario. The OPA has submitted to the Ontario Energy Board ("Board") its proposed expenditures for fiscal 2009 and its proposed fee. It has done so in accordance with subsection 25.21 (1) of the *Electricity Act, 1998*. The Board has the authority to approve the proposed fee or to refer it back to the OPA for further consideration with the Board's recommendations.

The OPA is seeking approval for a proposed 2009 operating budget of \$65.073 million and a proposed fee of \$0.485/MWh. The current fee is \$0.346/MWh and forms part of the Wholesale Market Service Charge invoiced by the Independent Electricity System Operator. The current Wholesale Market Service Charge is \$6.20/MWh. All electricity users may be affected by the OPA's application if the Wholesale Market Service Charge is changed as a result of the 2009 proposed fee.

The proposed fee reflects the 2009 operating budget as well as a 2009 capital expenditure of \$2.9 million, revenue from certain registration fees, and disposition of balances in certain deferral/variance accounts. The requested increase in the 2009 fee over 2008 is primarily due to the OPA's proposed disposition of balances in existing deferral/variance accounts.

The OPA requested that, if necessary, the proposed fee be approved on an interim basis effective January 1, 2009.

The Board has assigned File No. EB-2008-0312 to this application.

## **How to see the OPA's Application and Pre-filed Evidence**

Copies of the Application and pre-filed evidence are available for public inspection:

- at the Board's office and on its website at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca); and
- at the OPA's office in Toronto and on its website at [www.powerauthority.on.ca](http://www.powerauthority.on.ca).

For the office locations, see the addresses below.

## **How to Participate**

You may participate in this proceeding in one of three ways:

### **1. Send a Letter with your Comments to the Board**

Your letter with comments will be provided to the Board members deciding the application, and will be part of the public record for the application. Your letter should include any request to make an oral presentation to the Board and must be received by the Board no later than **30 days** from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses noted below.

### **2. Become an Observer**

Observers do not actively participate in the proceeding but monitor the progress of the proceeding by receiving documents issued by the Board. You may request observer status in order to receive documents issued by the Board in this proceeding. If you become an observer, you need to contact the applicant and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board's website. Your request for observer status must be made in writing and be received by the Board no later than **10 days** from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below; however two paper copies are also required. You must also provide a copy of your letter to the applicant.

### **3. Become an Intervenor**

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenor are eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing.

Your request for intervenor status must be made by letter of intervention and be received by the Board no later than **10 days** from the publication or service date of this notice. Your letter of intervention must include 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. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant.

The Board may choose to hold either a written or an oral hearing. Your letter of intervention should indicate your preference for a written or an oral hearing and the reason for that preference.

If you already have a user ID, please submit your intervention request through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca). Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca), e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

### **How to Contact Us**

In responding to this Notice, please reference Board file number EB-2008-0312 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than **4:45 p.m. on the required date**.

### **Need More Information?**

Further information on how to participate may be obtained by visiting the Board's website at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca) or by calling our Consumer Relations Centre at 1-877-632-2727.

**IMPORTANT**

**IF YOU DO NOT FILE AN OBJECTION TO THE PROCESS AS OUTLINED OR DO NOT REQUEST TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THIS PROCEEDING.**

**ADDRESSES (for viewing of the OPA's submission)**

**Ontario Energy Board**

2300 Yonge Street,  
27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Attn: Ms. Kirsten Walli  
Board Secretary

Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656  
e-mail: [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca)

**The Ontario Power Authority**

120 Adelaide Street West,  
Suite 1600  
Toronto, ON M5H 1T1

Attn: Ms. Miriam Heinz  
Regulatory Coordinator

Tel: 416-969-6045  
Fax: 416-967-1947  
e-mail: [miriam.heinz@powerauthority.on.ca](mailto:miriam.heinz@powerauthority.on.ca)

**Counsel for the OPA**

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181 Bay Street  
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Attn: Mr. Fred Cass

Tel: 416-865-7742  
Fax: 416-863-1515  
e-mail: [fcass@airdberlis.com](mailto:fcass@airdberlis.com)

**DATED** at Toronto November 28, 2008  
**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary