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November 28, 2008

VIA EMAIL & VIA COURIER

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge St, Suite 2701  
Toronto ON M4P 1E4

Dear Ms. Walli:

**Board File No. EB-2008-0340 Independent Electricity System Operator  
Fiscal 2009 Fees Submission for Review – Intervention of Energy Probe**

Pursuant to the Ontario Energy Board's Notice of Application, dated November 19, 2008, Energy Probe Research Foundation (Energy Probe) is hereby providing Notice of Intervention in the EB-2008-0340 proceeding for the Board's consideration. An electronic version of Energy Probe's Notice will be provided in PDF format.

Energy Probe has become aware of a number of issues it may wish to pursue in this Matter, and has therefore availed itself of expert support. In respect of the Board's request for comment on the Draft Issues List prepared by Board staff, Energy Probe submits that it supports the changes advanced by the Vulnerable Energy Consumers Coalition (VECC) in its Notice of Intervention filed November 25, 2008.

Further, Energy Probe is in agreement with VECC that a written interrogatory phase followed by a settlement conference would be the preferable agenda for this year's proceeding. The decision to hold an oral or written hearing should be made following the settlement conference.

Yours truly,

David S. MacIntosh  
Case Manager

cc: Paula Lukan, Independent Electricity System Operator (By email)  
John Rattray, Independent Electricity System Operator (By email)  
Glenn Zacher, Stikeman Elliott LLP (By email)  
Peter Faye, Counsel to Energy Probe (By email)

**Energy Probe Research Foundation** 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

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**Ontario Energy Board**

**IN THE MATTER OF** sections 18 and 19 of the *Electricity Act, 1998*;

**AND IN THE MATTER OF** a Submission by the Independent Electricity System Operator to the Ontario Energy Board for the review of its proposed expenditure and revenue requirements and the fees which it proposes to charge for the year 2009 in connection with the IESO-controlled grid and IESO-administered market.

**NOTICE OF INTERVENTION**

**OF**

**ENERGY PROBE RESEARCH FOUNDATION**

Energy Probe Research Foundation (Energy Probe) applies for intervenor status in this proceeding.

**Statement of Interest**

Energy Probe is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. Energy Probe will be representing its residential customer supporters in Ontario, which we have some number of thousands, and also representing a broader public interest concern with respect to the overall financial health and operational integrity of our utilities. Energy Probe will be intervening on issues which the Foundation believes to be in the public interest.

**Intervention**

Energy Probe intends to appear and participate in the hearing. Energy Probe expects to be a full-time intervenor. Energy Probe will be assisted by experts.

## Costs

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in proceedings would be very limited. Energy Probe intends to seek a cost award in this proceeding, and expects to intervene responsibly, cognizant of the Boards guidelines regarding cost awards.

## Communications

Communications relating to this Notice of Intervention, including but not limited to all documents filed with the Board by the Independent Electricity System Operator, are required by Energy Probe and should be directed to:

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Barrister and Solicitor  
42 Eastwood Crescent  
Markham ON L3P 5Z7  
Tel: (905) 294-2013  
Electronic mail: pfaye@rogers.com

AND

David MacIntosh  
c/o Energy Probe  
225 Brunswick Ave.  
Toronto ON M5S 2M6  
Tel: 416 964-9223 Ext. 235  
Fax: 416 964-8239  
Electronic Mail: DavidMacIntosh@nextcity.com

Energy Probe notes that its case manager has received one hard copy of the Application and the prefiled evidence.

DATED at Toronto, Ontario this 28<sup>th</sup> day of November 2008.

A handwritten signature in black ink, appearing to read 'David MacIntosh', with a long horizontal flourish extending to the right.

David MacIntosh  
Case Manager