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January 13, 2009

BY EMAIL & BY 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-2008-0312 Ontario Power Authority
Fiscal 2009 – Expenditure, Revenue and Fees Submission for Review
Proposed Issues List Submissions of Energy Probe**

Pursuant to Procedural Order No. 1, issued December 17, 2008, Energy Probe Research Foundation (Energy Probe) is hereby providing Submissions on the proposed Issues List drafted by Board staff in the EB-2008-0312 proceeding for the Board's consideration. An electronic version of Energy Probe's Submission will be provided in PDF format.

Energy Probe supports the proposed Issues List in general as it will allow intervenors to request information from the Applicant to pursue issues that are relevant to a fees review proceeding by the Board.

There is, however, one issue which Energy Probe wishes to pursue which does not appear to fit comfortably within the proposed Issues List. That issue is to explore the Applicant's response to Board Findings in respect to its Work Force in the Fiscal 2008 Fees Review. Those Findings were stated by the Board on Page 11 of the Decision and Order in the EB-2007-0791 proceeding, issued May 15, 2008, as follows:

“...the Board has noted that the OPA's 2008 budget reflects a substantial increase in its overall workforce – it increases from 137.0 in 2007 to 183.8 Full Time Equivalents in 2008. In the CDM area specifically, the OPA is doubling its workforce to 66.2 Full Time Equivalents. The Board has also noted from OPA's testimony that the OPA is currently not in a position to forecast its workforce requirements and acknowledged that in the future its workforce could be reduced. The possibility for a reduction in the future has not altered the OPA's practice in continuing to augment its existing workforce with full-time permanent employees.

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While the Board accepts the OPA's budget associated with its workforce for the 2008 year, in light of the uncertainties for future workforce requirements acknowledged by the OPA, the Board expects the OPA to review its hiring practices for 2008 and to fully justify increases to its permanent full-time workforce in its 2009 fees application."

It is the submission of Energy Probe that the following Issue should be added to the List:

6.4 Workforce Hiring Practices

- Has the OPA responded appropriately to the expectation of the Board Panel in respect of workforce hiring practices, as stated on Page 11 of the Decision and Order in the EB-2007-0791 proceeding?

All of which is respectfully submitted.

Yours truly,



David S. MacIntosh
Case Manager

cc: Miriam Heinz, Ontario Power Authority (By email)
Martha McQuat, Ontario Power Authority (By email)
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