



EB-2006-0064

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF a proceeding to determine the methodology by which the Ontario Energy Board will determine payment amounts under section 78.1 of the *Ontario Energy Board Act, 1998* for the prescribed assets of Ontario Power Generation Inc.

BEFORE: Howard Wetston, Q.C.
Chair

COST ELIGIBILITY ORDER

On March 21, 2006, the Ontario Energy Board (the "Board") issued a letter to interested parties giving notice of the process that the Board intends to follow to determine the methodology by which the Board will determine payment amounts for the prescribed assets of Ontario Power Generation Inc. ("OPG") under section 78.1 of the *Ontario Energy Board Act, 1998* (the "Act"). That letter also indicated that the Board would make cost awards available to eligible persons in relation to their participation in this process under section 30 of the Act, and that any costs awarded would be recovered from OPG. Appendix A to that letter set out certain parameters with respect to the activities that may be the subject of cost awards.

Eighteen interested parties in addition to OPG have indicated their interest in participating in this proceeding. A list of all participants in this proceeding is

attached as Appendix A. The Board has also received notice from the following of their intention to request an award of costs:

- the Association of Major Power Consumers of Ontario;
- Canadian Manufacturers and Exporters;
- the Consumers Council of Canada;
- the Energy Probe Research Foundation;
- the Low Income Energy Network;
- the School Energy Coalition; and
- the Vulnerable Energy Consumers Coalition.

By letter dated May 12, 2006, OPG was given an opportunity to file any objections it might have in relation to the eligibility of the above-noted participants for an award of costs. By letter dated May 17, 2006, OPG indicated that it takes no position with respect to the eligibility of those participants for an award of costs.

Based on the criteria set out in section 3 of the Board's *Practice Direction on Cost Awards*, the Board has determined that each of the above-noted participants is eligible for an award of costs in this proceeding. The Board expects that those participants will make every effort to communicate and coordinate their participation in this proceeding to the extent that they represent the same interests or class of persons.

IT IS THEREFORE ORDERED THAT:

1. the Association of Major Power Consumers of Ontario, Canadian Manufacturers and Exporters, the Consumers Council of Canada, the Energy Probe Research Foundation, the Low Income Energy Network, the School Energy Coalition and the Vulnerable Energy Consumers Coalition are eligible for an award of costs in this proceeding.

ISSUED at Toronto, May 18, 2006.

ONTARIO ENERGY BOARD

Original signed by

Howard Wetston, Q.C.
Chair

APPENDIX A

LIST OF PARTICIPANTS

EB-2006-0064

MAY 18, 2006

**BOARD'S REGULATORY PROCESS
FOR DETERMINING THE METHODOLOGY FOR
SETTING PAYMENT AMOUNTS FOR
ONTARIO POWER GENERATION INC.'S
PRESCRIBED GENERATION ASSETS
EB-2006-0064**

LIST OF PARTICIPANTS

May 18, 2006

Organizations	Rep. And Address for Service
1. Ontario Power Generation Inc. (OPGI)	Ms. Barbara Reuber Director, Ontario Regulatory Affairs Ontario Power Generation Inc. 700 University Avenue, H18-G2 Toronto, ON M5G 1X6 Tel: 416-592-5419 Fax: 416-592-8519 Email: Barbara.reuber@opg.com
2. Association of Major Power Consumers in Ontario (AMPCO)	Mr. Adam White President, AMPCO 595 Bay Street Suite 1201, P.O. Box 69 Toronto, ON M5G 2C2 Tel: 416-260-0225 Fax: 416-260-0442 Email: awhite@ampco.org
AND	Mr. J. Mark Rodgers Counsel for AMPCO Partner Borden Ladner Gervais LLP Scotia Plaza, 40 King Street West Toronto, ON M5H 3Y4 Tel: 416-367-6190 Fax: 416-361-7088 Email: mrodger@blgcanada.com

3. **Association of Power Producers of Ontario (APPrO)** Mr. David Butters
President
Association of Power Producers
of Ontario
25 Adelaide Street E.
Suite 1602
Toronto, ON M5C 3A1
Tel: 416-322-6549
Fax: 416-481-5785
Email: David.Butters@appro.org

AND

Mr. Jake Brooks
Executive Director
Association of Power Producers
of Ontario
25 Adelaide St. East
Suite 1602
Toronto, ON M5C 3A1
Tel:
Fax:
Email: Jake.Brooks@appro.org

AND

Mr. Tom Brett
Counsel for AMPCO
Gowlings Lafleur Henderson LLP
Suite 1600, 1 Canadian Place
100 King Street West
Toronto ON M5S 1G5
Tel: 416-369-4628
Fax: 416-862-7661
Email: tom.brett@gowlings.com

4. **Bruce Power L.P.**

Mr. Richard Horrobin
Vice President, Power Marketing
Bruce Power L.P.
P.O. Box 1540, B10
177 Tie Road, Municipality of
Kincardine
R.R. #2
Tiverton, ON N0G 2T0
Tel: 519-361-6561
Fax: 519-361-1845
Email:
richard.horrobin@brucepower.com

5. **Canadian Manufacturers & Exporters (CME)**

Mr. Malcolm Rowan
Canadian Manufacturers & Exporters
361 Lytton Boulevard
Toronto, ON M5N 1R9
Tel: 416-482-6612
Fax: 416-482-8446
Email: malcolmrowan@sympatico.ca

6. **Consumers Council of Canada (Council)**

Ms. Julie Girvan
2 Penrose Road
Toronto, ON M4S 1P1
Tel: 416-322-7936
Fax: 416-322-9703
Email: jgirvan@ca.inter.net

AND

Mr. Robert B. Warren
Counsel
Weir Foulds LLP
Barristers & Solicitors
The Exchange Tower, Suite 1600
P.O. Box 480
130 King Street W.
Toronto ON M5X 1J5
Tel: 416-947-5075
Fax: 416-365-1876
Email: warren@weirfoulds.com

7. **Constellation New Energy Canada Inc.**

Mr. Gary Wight
Director – Regulatory & Business
Development
Constellation New Energy Canada Inc.
205 Richmond Street West, Suite 705
Toronto, ON M5V 1V3
Tel: 416-595-5548
Fax: 416-595-5566
Email: gary.wight@constellation.com

AND

Mr. Tom Brett
Counsel
Gowlings
Suite 1600
1 First Canadian Place
100 King Street West
Toronto, ON M5X 1G5
Tel: 416-369-4628
Fax: 416-862-7661
Email: tom.brett@gowlings.com

8. Direct Energy

Ms. Christine Dade
Manager, Government & Regulatory
Affairs – Eastern Canada
80 Allstate Parkway
Markham, ON L3R 6H3
Tel: 905-943-6854
Fax: 905-943-6418
Email: Christine.Dade@directenergy.com

9. ECNG Limited Partnership (ECNG)

Mr. Bill Killeen
Director, Energy Supply
ECNG Limited Partnership
#400-5575 North Service Road
Burlington, ON L7L 6M1
Tel: 905-635-3288
Fax: 905-635-3298
Email: bkilleen@ecng.com

**10. Hydro One Networks Inc.
(Networks)**

Mr. Glen MacDonald
Senior Advisor – Regulatory Research
and Administration
Hydro One Networks Inc.
8th Floor, South Tower
483 Bay Street
Toronto, ON. M5G 2P5
Tel: 416-345-5913
Fax: 416-345-5866
Email: regulatory@HydroOne.com

11. **Independent Electricity System Operator (IESO)** Ms. Helen Lainis
 Senior Regulatory Analyst
 Independent Electricity System Operator
 655 Bay Street, Suite 410
 P.O. Box 1
 Toronto, ON M5G 2K4
 Tel: 905-855-4106
 Fax: 905-855-6371
 Email: Helen.lainis@ieso.ca
12. **Low Income Energy Network (LIEN)** Mr. Malcolm Jackson
 Low Income Energy Network
 FRC Canada
 194 Berkeley Street
 Toronto, ON M5A 2X4
 Tel: 416-365-3024
 Fax: 416-968-6227
 Email: malcolm.jackson@sympatico.ca
13. **Ontario Power Authority (OPA)** Ms. Miriam Heinz
 120 Adelaide Street West
 Suite 1600
 Toronto ON M5H 1T1
 Tel: 416-969-6045
 Fax: 416-967-1947
 Email: Miriam.heinz@powerauthority.on.ca
14. **Ontario Energy Savings L.P.** Mr. Gord Potter
 Vice President Regulatory Affairs
 Ontario Energy Savings L.P.
 6345 Dixie Road, Suite 200
 Mississauga, ON L5T 2E6
 Tel: 905-795-4214
 Fax: 905-564-6069
 Email: gpotter@energysavings.com
15. **The Power Workers' Union (PWU)** Mr. Bob Menard
 Staff Officer, President's Office
 Power Workers' Union
 244 Eglinton Avenue East
 Toronto, ON M4P 1K2
 Tel: 416-322-2441
 Fax: 416-481-7914
 Email: rmenard@pwu.ca

AND

Ms. Judy Kwik
Senior Consultant
Elenchus Research Associates (ERA)
34 King Street East, Suite 610
Toronto, ON M5C 2X8
Tel: 416-348-8777
Fax: 416-348-9930
Email: jkwik@era-inc.ca

AND

Mr. Richard Stephenson
Counsel
Paliare Roland
250 University Avenue, Suite 510
Toronto, ON M5H 3E5
Tel: 416-646-4325
Fax: 416-646-4335
Email:
Richard.Stephenson@paliareroland.com

**16. School Energy Coalition
(Schools)**

Mr. Jay Shepherd
Counsel for School Energy Coalition
Shibley Righton LLP
Barristers and Solicitors
250 University Avenue, Suite 700
Toronto, ON M5H 3E5
Tel: 416-214-5224
Fax: 416-214-5424
Email: jay.shepherd@shibleyrighton.com

AND

Mr. Brian Cain
Schools Energy Coalition
Co-ordinator
Ontario Education Services Corporation
c/o Ontario Public School Boards'
Association
439 University Avenue, 18th Floor
Toronto, ON M5G 1Y8
Tel: 416-340-2540
Fax: 416-340-7571
Email: bcain@opsba.org

17. Toronto Hydro-Electric System Limited (TH Electric System)

Mr. R. Zebrowski
Vice-President
Regulatory Services
Toronto Hydro-Electric System Limited
14 Carlton Street
Toronto, ON M5B 1K5
Tel: 416-542-2572
Fax: 416-542-2776
Email: rzebrowski@torontohydro.com

18. Vulnerable Energy Consumer's Coalition (VECC)

Mr. Michael Buonaguro
Counsel
c/o Public Interest Advocacy Centre
34 King Street East, Suite 1102
Toronto, ON M5C 2X8
Tel: 416-767-1666
Fax: 416-348-0641
Email: mbuonaguro@piac.ca

AND

Mr. Bill Harper
Econanalysis Consulting Services
34 King Street East, Suite 1102
Toronto, ON M5C 2X8
Tel: 416-348-0193
Fax: 416-348-0641
Email: bharper@econanalysis.ca

19. Energy Probe

*(Late Intervention dated May 1,
received May 2, 2006)*

Mr. David S. MacIntosh
Case Manager
Energy Probe Research Foundation
225 Brunswick Avenue
Toronto, ON M5S 2M6
Tel: 416-964-9223
Fax: 416 964-8239
E-mail: Energy Probe@nextcity.com