



September 25, 2009

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

**Re: Further Revised Proposed Amendments to the Transmission System Code
Board File No. EB-2008-0003**

Dear Ms. Walli:

Pursuant to the Board's Notice of Revised Proposal to Amend a Code dated September 11, 2009, attached please find AMPCO's comments regarding Further Revised Proposed Amendments to the Transmission System Code. Three paper copies have been sent to the Board.

Please don't hesitate to contact me or Wayne Clark (705-728-3284) if you have further questions or require additional information.

Sincerely,

ORIGINAL SIGNED

Adam White

Association of Major Power Consumers in Ontario

www.ampco.org

372 Bay Street, Suite 1702
Toronto, Ontario M5H 2W9

P. 416-260-0280
F. 416-260-0442

Further Revised Proposed Amendments to the Transmission System Code

Board File No: EB-2008-0003

For the most part, the further revisions improve upon the earlier proposed amendments. The assumption by the Board of some discretion with respect to the process of identifying what is or is not an enabler facility is appropriate, especially given the uncertainties with respect to the continued use of an IPSP as a well-defined planning reference for Ontario.

The revisions respecting share allocation for facility costs are also practical, with one exception. AMPCO continues to submit that, by assessing late entrants for connection cost based only on the depreciated value of the assets, the Board will neither protect the interests of consumers nor advance the timely exploitation of renewable resources. The practice of funding enabler facilities on a speculative basis, with ratepayers carrying the subscription risk, can only be justified on the basis of the societal benefits that are expected from using renewable energy resources. The assignment of depreciation cost to ratepayers in favour of late entrant developers provides no societal benefit and in fact encourages delay in developing the very resources the Board is charged with facilitating.

Specific Comments - Attachment B

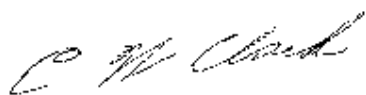
3A Screening Criteria for Enabler Facilities: AMPCO supports the screening criteria established in this section as a necessity to limit the risk to ratepayers.

6.4.14A: AMPCO recommends removal of the words “depreciated to the time of connection” for the reasons stated in our general comments.

Also, AMPCO recommends that “nameplate capacity” be replaced by “the capacity established in the generator customer’s contract with the OPA”, or words to this effect. Our concern arises from the observation that nameplate capacity means different things in different circumstances, and means something different again from the capacity that might be contracted. Rather than create a potential gaming opportunity, however slight, we would prefer the Board eliminate any ambiguity about the quantity and/or electrical capacity of the generation to be connected.

The use of proportionate share by capacity is superior to allocation method based on line length, as noted by the Board. The Board should anticipate, however, that total resource capacity in a cluster will occasionally change over time as new technology and resource knowledge develops. This may alter the calculation of the contribution required by late entrants.

Prepared on behalf of AMPCO by:



C.W (Wayne) Clark
SanZoe Consulting, Inc