



WEILER, MALONEY, NELSON

Celebrating 65 Years of Service

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October 29, 2012

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Ontario Energy Board
2300 Yonge Street
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Toronto ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

**Request for Cost Eligibility - Northwestern Ontario Associated
Chambers of Commerce (NOACC)**

**Re: Implementation of the Renewed Regulatory Framework for
Electricity - EB-2010-0377, EB-2010-0378, EB-2010-0379, EB-
2011-0004, and EB-2011-0043**

We are counsel in this instance for the Northwestern Ontario Associated Chambers of Commerce (NOACC). NOACC is an association comprised of the Chambers of Commerce throughout the Northwest Region.

In response to the Ontario Energy Board letter, dated October 18, 2012, NOACC respectfully requests eligibility for cost recovery for further participation in:

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- EB-2011-0043, Regional Planning for Electricity Infrastructure, and
- EB-2011-0004, Developing Guidance for Implementation of the Smart Grid in Ontario,

in the implementation of the Renewed Regulatory Framework for Electricity (RRFE) consultation activities.

NOACC relies on its previous letters to the Board in the consultation process of the RRFE, where it sought and received, although qualified, cost eligibility, specifically in relation to Regional Planning for Electricity Infrastructure (EB-2011-0043) and Developing Guidance for Implementation of a Smart Grid in Ontario (EB-2011-0004).

Background

NOACC represents over 2000 commercial and business consumers in the Northwest Region (population approximately 250,000). These consumers are primarily small businesses, in their capacity as ratepayers for regulated services. NOACC covers a large geographical area that includes every Chamber of Commerce from Marathon to the Manitoba border. NOACC's members will be directly impacted by the implementation of changes to be developed in the:

- Distribution network planning
- Smart grid planning, and
- Regional planning

that will be involved in the implementation of the Renewed Regulatory Framework for Electricity. NOACC is in a position to provide the Board clearly defined consumer needs and a unique perspective, specifically with regard to the Northwest Region.

Co-operation

NOACC collaborates with other interested parties in the Northwest Region, namely:

1. Northwestern Ontario Municipal Association (NOMA);



2. Common Voice Northwest, a collaborative group sponsored by both NOMA and NOACC; and
3. in particular, the City of Thunder Bay, regional hub of the Northwest, the largest City (population 113,000), and site of one of the two large thermal generating stations in the Northwest Region.

The NOACC, NOMA, CVNW and the City of Thunder Bay have agreed among themselves to co-operate and have, therefore, authorized Weiler, Maloney, Nelson, to make submissions through NOACC in the common interests of all of them.

Cost Awards

NOACC will again seek designation as a person, under Section 30 of the *Ontario Energy Board Act, 1998*, eligible to receive costs. The basis for the designation would be the representative nature of NOACC throughout the Northwest Region.

All of the businesses and commercial interests of the members of NOACC are not ineligible by reason of any of the criteria contained in section 3.05 of the *Practice Direction on Cost Awards*. NOACC asks that both the diversity of its own membership as well as the efficiency gained by the collaborative representation in the consultation initiatives be taken into consideration in awarding costs to be granted in this next stage of the RRFE initiative.

NOACC in particular represents the direct interest small business and commercial consumers, in their capacity as ratepayers, throughout the Northwest Region. The process to implement a renewed regulatory framework for electricity within their communities impacts those ratepayers who are often dependent for their livelihood on a single industrial employer in a town, and now depend also on the robust mineral exploration programs in the Northwest Region. The development of distribution and



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transmission code changes appropriate to development of electricity system reliability in the Northwest Region is essential for the multitude of businesses that supply goods and services to industrial plants, as well as to preliminary and advanced mineral exploration work. The construction and operation of any mine that reaches production depends on a reliable and affordable supply of electricity.

NOACC represents a public interest relevant to the Board's mandate in seeking to ensure the adequacy and electricity system reliability, as well as power quality for both businesses and industry, in the Northwest Region. NOACC's membership can offer a unique perspective in relation to the "more structured approach" to regional infrastructure planning and "redefinition of certain line connection assets" identified by the Board in its October 18, 2012 letter. Previously, in the RRFE consultation process, NOACC made substantial submissions on regional planning and cost responsibility and will continue to do so. NOACC's submissions will be able to assist the Board in reaching a better appreciation of the Northwest as a unique geographical region of Ontario with distinctive energy supply needs.

NOACC's members are directly impacted by the promotion of the smart grid, and seek to participate in the discussion regarding its regional implementation and regulatory framework. Issues such as:

- the integration of renewable energy into the distribution system;
- investment in the modernization of the grid;
- price, reliability and quality of service to customers; and
- developing principles for the evaluation criteria for the regulated entities

are all topics which will have a profound impact on the consumers of Northwestern Ontario and are therefore matters of a public interest which NOACC primarily represents. NOACC is in a position to provide the Board clearly defined consumer needs and a unique perspective with respect to the implementation of a smart grid and regulatory services.



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Finally, NOACC is keenly aware of the geographical, technical, and socio-economic issues its members face relating to electricity transmission and distribution in the Northwest Region, and as such can provide important and unique perspectives of business and commercial ratepayers related to both Regional Planning and the Development of a Smart Grid in Ontario

Spokespersons for NOACC:

- John A. Cyr, C.S. (Corporate and Commercial Law), Partner in the firm of Weiler, Maloney, Nelson (called to the Bar in 1980, licenced by the Law Society of Upper Canada to practice law in Ontario);
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- Mark Mikulasik, Student-at-Law (Articled to John A. Cyr) with an expectation of call to the bar in January, 2013, employed by the firm of Weiler, Maloney, Nelson.

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Please contact the undersigned should further information or clarification be required.

Respectfully submitted,

WEILER, MALONEY, NELSON

Per:

John A. Cyr

JAC/mm