



October 5, 2022

Kent Elson
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Dear Mr. Elson:

**Re: Request for Intervenor Status and Cost Eligibility
Elexicon Energy's 2023 Distribution Rate Application
Ontario Energy Board File Number: EB-2022-0024**

This letter is in response to your letter dated October 4, 2022, filed on behalf of Environmental Defence, requesting intervenor status and cost eligibility in the above proceeding.

The OEB notes that Environment Defence's intervention request was filed after the deadline of September 2, 2022, for requesting intervention status and cost eligibility. Environmental Defence explained that it only learned of Elexicon Energy's incremental capital module (ICM) requests for a Smart Grid and DER-enabling investment on October 4, 2022. Environmental Defence stated that it has an important perspective on these investments.

On October 5, 2022, Elexicon Energy filed a letter indicating that it had no objection to the intervention request or cost eligibility of Environmental Defence. In its letter, Elexicon did not object to Environmental filing its interrogatories late, as the due date for interrogatories was September 29, 2022. Subsequently, Environmental Defence filed its interrogatories to avoid delaying the proceeding, pending approval of its intervention request.

Environment Defence is approved as an intervenor and is eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*. The OEB accepts the interrogatories as filed by Environmental Defence on October 5, 2022. The OEB asks that Elexicon Energy makes best efforts to respond to these interrogatories by the dates set out in Procedural Order #1. If Elexicon Energy requires a short extension to respond

to Environmental Defence interrogatories, it may request an extension by a letter to the OEB.

An updated list of participants in this proceeding is attached to this letter.

Yours truly,

Nancy Marconi
Registrar

c: Cynthia Chan, Elexicon Energy
Jack Gibbons, Ontario Clean Air Alliance
All parties to EB-2022-0024