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January 5, 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-2008-0235  
London Hydro Inc. – 2009 Rates Rebasing Application  
Intervention of Energy Probe**

Pursuant to the Notice of Application, issued by the Board on December 24, 2008, Energy Probe Research Foundation (Energy Probe) is hereby providing Notice of Intervention in the EB-2008-0235 proceeding for the Board's consideration. An electronic version of this communication will be forwarded in PDF format.

Energy Probe has become aware of a number of issues it may wish to pursue in this Matter, and has therefore availed itself of expert support. Energy Probe has not fully reviewed the Applicant's evidence and has not as yet determined whether a technical conference, an oral hearing or both are appropriate. Once the interrogatory phase of this proceeding is complete, Energy Probe will be in a position to provide comment to the Board.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh  
Case Manager

cc: David B. Williamson, London Hydro Inc. (By email)  
James C. Sidlofsky, Borden Ladner Gervais LLP (By email)  
Peter Faye, Energy Probe Counsel (By email)

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**Energy Probe Research Foundation** 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: EnergyProbe@nextcity.com Internet: www.EnergyProbe.org

**Ontario Energy Board**

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

**AND IN THE MATTER OF** an Application by London Hydro  
Inc. for an Order or Orders approving and fixing just and  
reasonable distribution rates and other charges, effective May 1,  
2009.

**NOTICE OF INTERVENTION**

**OF**

**ENERGY PROBE RESEARCH FOUNDATION**

Energy Probe Research Foundation (Energy Probe) applies for intervenor status in this proceeding.

**Statement of Interest**

Energy Probe is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. Energy Probe will be representing its residential customer supporters in Ontario, which we have some number of thousands, and also representing a broader public interest concern with respect to the overall financial health and operational integrity of our utilities. Energy Probe will be intervening on issues which the Foundation believes to be in the public interest.

**Intervention**

Energy Probe intends to appear and participate in the hearing. Energy Probe expects to be a full-time intervenor. Energy Probe will be assisted by experts and may call evidence.

**Costs**

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in proceedings would be very limited. Energy Probe intends to seek a cost award in this proceeding, and expects to intervene responsibly, cognizant of the Boards guidelines regarding cost awards.

## Communications

Communications relating to this Notice of Intervention, including but not limited to a copy of all documents filed with the Board by London Hydro Inc., are required by Energy Probe and should be directed to:


Peter T. Faye  
Barrister and Solicitor  
42 Eastwood Crescent  
Markham ON L3P 5Z7  
Tel: (905) 294-2013  
Email: pfaye@rogers.com

AND

Mr. David S. MacIntosh  
c/o Energy Probe  
225 Brunswick Ave.  
Toronto ON M5S 2M6  
Tel: 416 964-9223 Ext. 235  
Fax: 416 964-8239  
Email: DavidMacIntosh@nextcity.com

In addition to electronic copies of material, Energy Probe requests that one hard copy of the Application and any other supporting materials be forwarded to its Case Manager.

Respectfully submitted at Toronto, Ontario this 5<sup>th</sup> day of January 2009.



David MacIntosh  
Case Manager