

Fasken Martineau DuMoulin LLP
Barristers and Solicitors
Patent and Trade-mark Agents

www.fasken.com

333 Bay Street, Suite 2400
Bay Adelaide Centre, Box 20
Toronto, Ontario, Canada M5H 2T6

416 366 8381 Telephone
416 364 7813 Facsimile
1 800 268 8424 Toll free



Richard D. Butler
Direct 416 868 33351
rbutler@fasken.com

November 14, 2011
File No.: 287118.00001

VIA ELECTRONIC FILING AND EMAIL

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

Dear Ms. Walli:

Re: Request for Participant Status and Cost Award Eligibility for two additional initiatives of the Renewed Regulatory Framework for Electricity (EB-2011-0043; EB-2011-0004)

We are writing on behalf of the Canadian Federation of Independent Business (“CFIB”).

Request for Participant Status and Cost Award Eligibility:

On February 1, 2011 the Ontario Energy Board (“Board”) issued its Decision on Cost Eligibility in relation to the coordinated consultation process for three inter-related policy initiatives, being Board File Nos.: EB-2010-0377 ; EB-2010-0378 ; EB-2010-0379.

On May 12, 2011, CFIB requested late participant status in those proceedings. On May 16, 2011, the Board issued its Supplemental Decision on Cost Eligibility, in which the Board determined that CFIB was eligible for an award of costs. No objection was taken.

CFIB now seeks participant status and cost award eligibility for two additional initiatives to be undertaken in developing the renewed regulatory framework for Electricity, being Board File Nos.: EB-2011-0043 and EB-2011-0004.

In addition to the following comments, CFIB relies on the submissions made to the Board in its letter of May 12, 2011 regarding CFIB’s public interest mandate, its membership and non-profit status. As a non-profit organization, CFIB does not have access to any other funding sources. CFIB relies on the cost awards it receives from the

Board to effectively participate in, and assist the Board, in these regulatory processes. The Board has determined in prior proceedings that CFIB is eligible for a cost award.

In particular, CFIB and its membership has an interest Board File Nos.: EB-2011-0043 and EB-2011-0004 as follows:

- CFIB members will be affected by the potential investment in conservation, generation and transmission that will be needed to maintain a clean and reliable electricity system for Ontarians, and by the cost of those investments as reflected in rates.

Regarding EB-2011-0043:

- CFIB represents the interests of more than 107,000 owners of small and medium-sized businesses, distributed across all industry sectors and all regions of Ontario. In relation to distribution, as rate payers CFIB members have an interest in infrastructure optimization and the prioritization of distribution investments through local systems and regional planning with regard to reliability and the total bill impact on consumers. CFIB wishes to contribute to the development of a consistent and effective framework for regional planning, which may help to ensure fairness with respect to transmission cost responsibility.

Regarding EB-2011-0004:

- CFIB has an interest in the establishment, implementation and promotion of Ontario's Smart Grid, as evidenced by its participation in a number of matters relating to Time of Use pricing ("TOU") and its implementation during this past year. CFIB has an interest in the benefits of Smart Grid in terms of service quality and the ability to implement distributed renewable generation in the province. In a recent survey of CFIB members, focused on their energy needs and costs, the most important aspect of Ontario's electricity policy and decision-making noted by CFIB members is price stability. Further, CFIB and its members strongly support energy conservation. Thus, development of a smart grid in Ontario and the resulting investment plans of electricity distributors and transmitters are a key area of concern for CFIB.

CFIB Contacts and Consultant:

CFIB anticipates that in addition to those persons already representing CFIB, noted below, it will require the assistance of an engineering expert for the coordinated

consultation. CFIB will be seeking the assistance of Mr. Shawn Otal, president of Metsco Energy Solutions and an associate consultant of BDR NorthAmerica Inc.

Mr. Otal is a professional electrical engineer with 30 years of experience in the power sector. His experience and skills span a broad area covering scientific research, engineering, strategic planning, financial due diligence, project management, stakeholder liaison, business development, marketing and sales, contract negotiations, contract administration, commercialization of intellectual property and human resource development. He has successfully managed numerous power sector assignments in different parts of the world including Canada, USA, Mexico, Jamaica, Bermuda, Ghana, Vietnam, Philippines, Lao PDR, Timor Leste and India.

Mr. Otal routinely takes assignments involving planning and prioritizing of investments aimed at improving grid reliability, power quality, public safety and operating efficiency. During his employment as Manager - Transmission systems at Kinectrics Inc, Mr. Otal managed an R&D business portfolio and supervised a team of scientists and engineers. He has undertaken many assignments involving connection impact assessments and integration of distributed generation (DG) into power grid. Mr. Otal has also worked extensively in improving the financial and operating performance of power delivery systems in Canada and around the world. His clients include provincial and municipal electric utilities in Canada, electrical equipment manufacturers, electrical safety authorities, Canadian Electricity Association (CEA and CEATI), Electrical Power Research Institute (EPRI), US Department of Energy (DOE), Natural Resources Canada (NRCAN), the World Bank, Asian Development Bank and Canadian International Development Agency (CIDA).

CFIB anticipates that Mr. Otal will not likely be required to attend the information session (in December), but will likely be required for some or all of the Stakeholder Conference in February.

If the relief requested in this letter is granted, CFIB requests that further communications with respect to this matter be sent to the following:

Satinder Chera, Vice-President
CFIB
401-4141 Yonge St.
Toronto, ON, M2P 2A6
Tel: 416-222-8022
Fax: 416-222-6103
Satinder.Chera@cfib.ca

Richard D. Butler, Counsel
Fasken Martineau Dumoulin LLP
Barristers and Solicitors
333 Bay Street, Suite 2400
Bay Adelaide Centre, Box 20
Toronto, ON M5H 2T6
Tel: 416 868 3336
Fax: 416 364 7813
rbutler@fasken.com

Paula Zarnett,
BDR NorthAmerica Inc
34 King Street East, Suite 1000, 10th Floor
Toronto, ON M5C 2X8
Tel: 416-214-4848
Fax: 416-214-1643
pzarnett@BDRenergy.com

All of which is respectfully submitted,

FASKEN MARTINEAU DuMOULIN LLP



Richard D. Butler

RB/fd

CC: *Satinder Chera, CFIB*
André Turmel, Fasken Martineau DuMoulin LLP
Paula Zarnett, BDR NorthAmerica Inc
Shawn Otal, BDR NorthAmerica Inc