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October 24, 2016

Our reference: 16-00422

Filed on RESS and Sent via Courier

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

Dear Ms. Walli:

**Re: Union Gas Limited – Application for an order of the Ontario Energy Board
approving or fixing rates for the distribution, transmission and storage of natural
gas, effective January 1, 2017
Board File No. EB-2016-0245**

We are counsel to the Association of Power Producers of Ontario ("APP_{ro}O"). Please find enclosed APP_{ro}O's Notice of Intervention requesting intervenor status and cost eligibility in the above-noted proceeding.

Yours very truly,

Lisa (Elisabeth) DeMarco

ONTARIO ENERGY BOARD

IN THE MATTER OF the Ontario Energy Board Act,
1998, S.O. 1998, c.15 (Schedule B) s. 36;

AND IN THE MATTER OF an Application by Union Gas
Limited for an order of the Ontario Energy Board
approving or fixing rates for the distribution,
transmission and storage of natural gas, effective
January 1, 2017

EB-2016-0245

NOTICE OF INTERVENTION

**ASSOCIATION OF POWER PRODUCERS OF ONTARIO
(APPrO)**

October 24, 2016

A. APPrO and its Interest in the Proceeding

1. APPrO is a non-profit organization representing more than 100 companies involved in the generation of electricity in Ontario, including generators, suppliers of services and equipment, and consulting service providers. APPrO's members produce electricity from natural gas, hydro, nuclear, wind, biogas and other sources.
2. Union Gas Limited ("**Union**") has filed an application for an order of the Ontario Energy Board approving or fixing rates for the distribution, transmission and storage of natural gas, effective January 1, 2017 (**EB-2016-0245**).
3. Most of APPrO's gas-fired generator members are large volume customers within Union's franchise areas. These large volume customers individually contract for significant quantities of distribution services from Union. Within the Union franchise, gas-fired generators contract for distribution and transportation services under several rate classes, including Rate T2 and Rate M12. APPrO's gas-fired generators therefore stand to be directly and materially affected by this Application, as Union's proposed changes to its rates would result in higher rates for APPrO's members, if approved.

B. APPrO's Experience as a Frequent Intervenor

4. APPrO has a record of participating in Board proceedings as an intervenor. A description of APPrO, its mandate and objectives, membership and representative constituency, and programs and activities are summarized in Attachment A.

C. Nature and Scope of APPrO's Intended Participation

5. APPrO intends to be an active participant in this proceeding, and will act responsibly to coordinate with other intervenors where common issues may arise and be otherwise addressed. APPrO intends to participate to request information, participate in any requisite motions, test evidence through the stipulated processes, submit written interrogatories and provide argument. Subject to the development of the record in this matter, APPrO may also submit evidence.

D. Costs

6. In accordance with s. 3.03(a) of the Board's Practice Direction on Cost Awards, APPrO is eligible to seek an award of costs from Union, as APPrO is a party that primarily represents the direct interests of consumers in relation to services that are regulated by the Board.

7. The Board has deemed APPrO an intervenor eligible for costs in previous proceedings. These proceedings include, among others: Union's Panhandle Reinforcement Proceeding (EB-2016-0186), Enbridge's 2014-2018 IRM Proceeding (EB-2013-0459), Union's 2014-2018 IRM Proceeding (EB-2013-0202) and Enbridge's and Union's DSM Proceedings (EB-2015-0029/EB-2015-0049). APPrO submits that it is also appropriate for the Board to award APPrO costs in the context of this proceeding as well.

E. APPrO's Representatives

8. If the Board grants APPrO intervenor status, APPrO requests that further communications with respect to this proceeding be sent to the following:

Association of Power Producers of Ontario
25 Adelaide St. East
Suite 1602
Toronto, ON M5C 3A1

Attention: David Butters, President
Telephone: 416-322-6549, x231
Facsimile: 416-481-5785
Email: david.butters@appro.org

AND TO ITS CONSULTANT

Elenchus
34 King Street East
Toronto, ON M5C 2X8

Attention: John Wolnik
Telephone: (519) 474-0844
Email: jwolnik@elenchus.ca

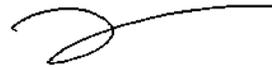
AND TO ITS COUNSEL

DeMarco Allan LLP
200-5 Hazelton Avenue
Toronto, ON M5R 2E1

Attention: Elisabeth DeMarco
Telephone: 647-991-1190
Facsimile: 1-888-734-9459
Email: lisa@demarcoallan.com

Attention: Cary Ferguson
Tel: 1-888-389-5798
Facsimile: 1-888-734-9459
Email: cary@demarcoallan.com

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS
24th day of October, 2016



Lisa (Elisabeth) DeMarco
DeMarco Allan LLP
Counsel for APPrO

ATTACHMENT A

The Association of Power Producers of Ontario

Description

The Association of Power Producers of Ontario ("**APPrO**") is a not-for-profit trade and professional organization which represents Ontario-based commercial electricity generators and suppliers of services, equipment and consulting services. APPrO is the largest organization of its type in Canada. APPrO was established in 1986 as the Independent Power Producers' Society of Ontario and changed its name to APPrO in 2003.

Mandate and objectives

APPrO's principal objective is the achievement of an economically and environmentally sustainable electricity sector in Ontario that supports the business interests of electricity generators. APPrO's role in the electricity sector is to raise awareness and understanding of its members' concerns with senior decision-makers in government, regulatory bodies and the public at large.

Membership and representative constituency

APPrO currently has about 100 corporate members, who collectively produce more than 95% of the electricity made in Ontario. APPrO's members produce electricity from a range of sources, including natural gas, hydroelectricity, cogeneration, windpower, solar energy, biomass, biogas, nuclear energy, coal, and other sources. The total value of assets owned or operated by APPrO members is estimated at more than C\$50 billion, and the total annual sales of electricity by APPrO members exceeds C\$7 billion per year (wholesale value).

Programs and activities

APPrO acts as an advocate for its members. It aims to have a voice on regulatory and policy issues which affect generators in Ontario, including electricity market rules, power procurement processes, the regulation of the natural gas market (both provincially and federally), climate change rules and compliance mechanisms, approval requirements, transmission development, distributed generation, and a number of other issues. APPrO is a leading advocate for public policies and regulatory treatments that it believes will facilitate the development of power generation in the province and assist in the development of a more open and competitive market for power.

APPrO also organizes industry conferences and produces a number of publications. APPrO's magazine, IPPSO FACTO, is an authoritative periodical on the electricity business and policy issues in Canada.

APPrO's authorized representative in OEB proceedings

APPrO's authorized representatives in proceedings before the Ontario Energy Board (the "Board") is through its consultant, Elenchus Research Associates ("**Elenchus**"), represented by John Wolnik, and counsel, DeMarco Allan LLP, represented by Elisabeth DeMarco, with support from associates.