



Jay Shepherd

Professional Corporation
2200 Yonge Street
Suite 1302
Toronto, ON M4S 2C6

BY EMAIL and RESS

March 30, 2017
Our File: EB20160137

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2016-0137/138/139 – Southern Bruce Communities Natural Gas Expansion

We are counsel to the School Energy Coalition (“SEC”). SEC writes pursuant to Procedural Order No.3 to request intervenor status for phase two of the proceeding, and cost eligibility for both phases.

In addition to the Notice of Intervention originally filed in this proceeding, setting out our request for intervenor status and cost eligibility (attached to this letter), we note that SEC represents a constituency that is directly affected by the provision of natural gas service to the relevant municipalities.¹ SEC represents the interest of Ontario public schools, a number of which are located in the municipalities for which gas service is proposed.² These schools will likely become natural gas ratepayers and thus have an interest in the section process for a distributor.

In addition, the outcome of this proceeding will set a precedent for all other potential community expansion applications which are of direct interest to the many schools who do not currently have natural gas service.

Yours very truly,
Jay Shepherd P.C.

Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
Interested parties (by email)

¹ Municipalities of Arran-Elderslie, Municipality of Kincardine, and the Township of Huron-Kinloss

² There are at least 12 public schools that fall within the franchises territories in the originally filed EPCOR South Bruce Inc. applications.

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended; and in particular, Sections 8 and 9 thereof;

AND IN THE MATTER OF the *Ontario Energy Board Act*, S.O. 1998, c. 15, Sched. B, as amended; and in particular, Sections 21(5) and 36 thereof;

AND IN THE MATTER OF an Application by EPCOR Southern Bruce Gas Inc. for an Order approving the terms and conditions upon which, and the period for which, the Corporation of the Municipality of Arran-Elderslie, Municipality of Kincardine, and the Township of Huron-Kinloss;, by by-laws, to grant to EPCOR Utilities Inc., the ultimate parent company of EPCOR Southern Bruce Gas Inc., the right to construct and operate works for the distribution, transmission and storage of natural gas and the right to extend and add to the works in the Municipality of Arran-Elderslie, Municipality of Kincardine, and the Township of Huron-Kinloss;

AND IN THE MATTER OF an Application by EPCOR Southern Bruce Gas Inc. for an Order directing and declaring that the assent of the municipal electors of the Municipality of Arran-Elderslie, Municipality of Kincardine, and the Township of Huron-Kinloss, to the by-laws are not necessary; and

AND IN THE MATTER OF an Application by EPCOR Southern Bruce Gas Inc. for an Order issuing a Certificate of Public Convenience and Necessity to construct works and supply gas to certain areas in the Municipality of Arran-Elderslie, Municipality of Kincardine, and the Township of Huron-Kinloss;

NOTICE OF INTERVENTION

OF THE

SCHOOL ENERGY COALITION

1. The School Energy Coalition (“SEC”) applies for intervenor status in this proceeding.
2. SEC is a frequent intervenor in Board proceedings. Our current Annual Filing can be found on the Board’s website, here:

<http://www.rds.ontarioenergyboard.ca/webdrawer/webdrawer.dll/webdrawer/rec/462191/view/>

3. The School Energy Coalition intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this matter. SEC has participated in many past natural gas and electricity proceedings in Ontario, including consultations, rate cases, and other processes and hearings, and has been found eligible to be paid its reasonably incurred costs in all of those proceedings.

Issues to be Addressed

4. SEC's intended participation will focus on the following issues:
 - a. The specific request for approval of the Franchise Agreements and Certificates of Public Convenience and Necessity;
 - b. How the requested approvals will be considered within the broader framework of natural gas expansion, given the findings from the decision on the generic hearing on natural gas expansion (EB-2016-0004);
 - c. Ensuring the Applicant's proposals will result in just and reasonable rates;
 - d. All other requests, issues, and components of the Applications; and
 - e. Generally to represent the interests of school boards and their students in this process.

The Intervenor's Intended Participation

5. The School Energy Coalition intends to participate in any pre-hearing procedures, including interrogatories or technical conferences, and settlement conferences. SEC also intends to participate in any oral hearing of this matter, and in written or oral submissions, as well as any other parts of the process that the Board should order.

Nature of Hearing Requested

6. Until interrogatories have been answered, we believe it is premature to assess whether a written or an oral hearing is more appropriate in this proceeding.

Counsel/Representative

7. SEC requests that a copy of all documents filed with the Board by each party to this proceeding be served on the intervenor, and on the intervenor's counsel, as follows:
 - a. School Energy Coalition: (electronic copies only)

ONTARIO EDUCATION SERVICES CORPORATION
c/o Ontario Public School Boards Association
439 University Avenue, 18th Floor
Toronto, ON
M5G 1Y8

Attn: Wayne McNally, SEC Coordinator
Phone: 416 340-2540
Fax: 416 340-7571
Email: wmcnally@opsba.org

b. SEC's counsel: (both electronic and paper copies)

JAY SHEPHERD PROFESSIONAL CORPORATION

2200 Yonge Street

Suite 1302

Toronto, Ontario, M4S 2C6

Attn: Mark Rubenstein

Phone: 416-483-3300

Fax: 416-483-3305

Email: mark.rubenstein@canadianenergylawyers.com

with an electronic copy to:

Attn: Jay Shepherd

Phone: 416-483-3300

Fax: 416-483-3305

Email: jay.shepherd@canadianenergylawyers.com

Respectfully submitted on behalf of the School Energy Coalition this January 4th, 2017.

Original signed by

Mark Rubenstein,
Counsel for the School Energy Coalition