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16 August 2017

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

Dear Ms. Walli:

Re: EB-2016-0137 / EB-2016-0138 / EB-2016-0139
Applications to serve the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss with natural gas distribution services (the "Applications")

We are counsel to Greenfield Global Inc. (**Greenfield**) in the above-mentioned proceeding. Greenfield is likely to be among the largest natural gas consumers that are impacted by the Applications, and it has a number of customer-focused concerns arising from the oral proceeding day held on 2 August 2017 in accordance with Procedural Order No. 7 (the **CIP Proceeding Day**). Specifically, Procedural Order No. 7 provides that:

The OEB ... will hear oral submissions from both proponents. The submissions should address each of the areas of disagreement listed in OEB staff's progress report: upstream reinforcements, inflation costs, OM&A costing methodology, treatment of capital costs, other CIP parameters, and permissible rate adjustments. The OEB will also be taking this opportunity to ask questions of clarification on the CIP proposal from proponents. Proponents should be prepared to discuss next steps following the hearing of oral submissions. (Page 2)

There was no further reference to full party (including Intervenor) submissions on the process or the substance of the Applications for which notice was provided in Procedural Order No. 7. In fact, other intervenors were not invited to participate as the CIP Proceeding Day was limited in scope and substance as per Procedural Order No. 7. However, the transcript from the CIP Proceeding Day indicates that substantive and procedural matters that were beyond the Procedural Order were examined and considered by the Board. As a result, Greenfield hopes to ensure that, consistent with the Board's customer-focused approach to its mandate, customer-focused views are reflected in the Board's substantive and procedural determinations arising out of the CIP Proceeding Day. Specifically, Greenfield hereby provides the following major

customer views relating to potential contractual considerations, service comparability, and procedural fairness through the Applications.

(I) Substantive Considerations

There are a number of indicative terms that should be disclosed in each and all of the Applications in order for customers to make reasonable and well-informed submissions and decisions on potentially competing approaches to serve their interests. Specifically, contractual provisions, including the potential term(s) of contracts, approaches to termination and rate adjustments, the tariffs and related development processes are all of interest to large customers like Greenfield, and should be disclosed by the Applicants for Board and Intervenor review.

Greenfield strongly submits that it is integral to, and consistent with, the Board's Decision dated 17 November 2016 in the EB-2016-0004 Generic Proceeding for major customers to understand the central tenets, terms, and conditions of potential rates and tariffs in order to appropriately evaluate potential applications. Further, there are a number of service metrics that are very important for customers to understand in addition to the cost of service, as cost of service is only one component customers use in evaluating who is their "best" service provider. Specifically, it will be important for Greenfield and other major customers to fully understand the character of service each proponent would provide. This will include, but not be limited to, each potential service provider's approach to storage and balancing plans, delivery points, the expected transportation and storage capacity, the potential for and approach to system expansion, the Applicant's approach to using or facilitating locally-produced natural gas and renewable natural gas, and anticipated service start date(s). We trust that each of these factors will also be relevant to the Board in discharging its customer and applicant related mandates pursuant to s. 2 of the *Ontario Energy Board Act*.

(II) Procedural Considerations

Greenfield is in general support of the procedural views raised by VECC and SEC relating to the CIP Proceeding Day and supports the view that the Board may benefit from hearing from customers and their representatives. Specifically, the Board appeared to have solicited submissions from EPCOR Southern Bruce Gas Inc. (**EPCOR**) and Union Gas Ltd. on the hearing procedure, and Greenfield is particularly concerned with the submissions of EPCOR suggesting that the Board should prohibit intervenors from asking interrogatories. Greenfield respectfully submits that constraining customer procedural rights to efficiently probe the evidence and the Applications is an undue restriction on customer rights to be heard in a procedurally fair manner. Greenfield therefore respectfully requests that the Board allow customers to be heard on these procedural questions and ensure that comprehensive procedural rights (including, without limitation, the right to ask interrogatories, cross-examine witnesses, adduce evidence, and make written and/or oral submissions) are afforded to customers in these very important and precedent-setting Applications.

Yours very truly,



Lisa (Elisabeth) DeMarco