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April 20, 2020

VIA RESS

Ms. Christine E Long
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Registrar

Dear Ms. Long:

**Re: Enbridge Gas Inc. – Voluntary Renewable Natural Gas Program Application
Board File No.: EB-2020-0066**

We are counsel to GFL Environmental Inc. (**GFL**). Please find enclosed GFL's Notice of Intervention requesting intervenor status and cost eligibility in the above-noted proceeding.

Sincerely,

A handwritten signature in black ink that reads "Jonathan McGillivray". The signature is fluid and cursive, with the first name being particularly prominent.

Jonathan McGillivray

- c. Jennifer Ahluwalia, GFL Environmental Inc.
- Brandon Ott, Enbridge Gas Inc.
- David Stevens, Aird & Berlis LLP

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF an application by Enbridge Gas
Inc. for an order or orders related to its Voluntary Renewable
Natural Gas Program;

AND IN THE MATTER OF an application by Enbridge Gas
Inc. for an order or orders amending or varying the rates
charged to customers for the sale, distribution, transmission,
and storage of gas commencing as of January 1, 2021.

EB-2020-0066

NOTICE OF INTERVENTION

OF

GFL ENVIRONMENTAL INC.

(GFL)

April 20, 2020

A. Application for Intervenor Status

1. GFL Environmental Inc. (**GFL**) hereby requests intervenor status in the matter of the application of Enbridge Gas Inc. (the **Applicant**) to the Ontario Energy Board (the **OEB** or the **Board**), pursuant to section 36 of the *Ontario Energy Board Act, 1998*, as amended (the **Act**), for an Order or Orders enabling the Applicant to commence the operation of its Voluntary Renewable Natural Gas (**RNG**) Program (the **Program**) as set out in the Applicant's application filed March 5, 2020 (the **Application**). This notice of intervention is filed pursuant to Rule 22 of the Board's *Rules of Practice and Procedure*.

B. GFL and its Interest in the Proceeding

GFL Environmental Inc.

2. GFL is a leading North American provider of diversified environmental solutions and a biogas producer. Recognized by its signature fleet of well-maintained, bright green trucks, GFL offers a robust, integrated and sophisticated approach to meeting its customers' environmental service needs including the ever-increasing demand for sustainable solutions. GFL is the only major diversified environmental services company in North America offering services in solid and liquid waste management, as well as infrastructure and soil remediation.

GFL's Interest in the Proceeding

3. GFL has a direct and substantial interest in the proceeding in that GFL is a large customer of the Applicant and a potential participant in the Program. GFL uses low carbon Clean Natural Gas (**CNG**) vehicles in an effort to reduce greenhouse gas (GHG) emissions from its fleet. In 2019, CNG vehicles accounted for 14% of GFL's solid waste collection fleet and GFL has plans to convert more of its fleet in the coming years. GFL is also a leading producer and supplier of biogas. In 2019, GFL's North American operations recovered approximately 1.3 million MMBtu of biogas for energy generation. One of GFL's largest landfills, by volume, is situated in Ontario and this facility currently recovers landfill gas to produce electricity through a 4.2 MW facility that was commissioned in 2013 and is actively exploring additional landfill gas utilization opportunities.
4. Given GFL's considerable production and consumption of biogas and natural gas, the organization has considerable interest in advancing RNG production in Canada.

5. GFL's intervention would focus on testing evidence and providing argument with respect to the issues raised in the Application, including:
 - (a) the Applicant's plan to procure RNG to support the Program;
 - (b) the technical and operational considerations of potential developers in Ontario;
 - (c) the role of existing and proposed RNG production facilities and related work and services required to get RNG to market;
 - (d) whether the Applicant's services are required to facilitate arrangements between customers and third parties in respect of marketing, business processes, and systems; and
 - (e) accounting treatment of variances between the Federal Carbon Charges remitted to the CRA and the amounts charged to customers participating in the Program.

C. Nature and Scope of GFL's Intended Participation

6. GFL 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. GFL otherwise intends to participate actively in order to test evidence in accordance with the stipulated processes and timelines and provide argument. It reserves the right to adduce evidence should the Board's procedures provide for same.

D. Costs

7. GFL is, in accordance with s. 3.03(a) of the Board's *Practice Direction on Cost Awards*, eligible to seek an award of costs as GFL is a significant customer of the Applicant and represents the direct interest of a consumer in relation to services, such as the Program, that are regulated by the Board.
8. GFL hereby requests cost eligibility in this proceeding. In accordance with section 3.03 of the Board's *Practice Direction on Cost Awards*, GFL:
 - (a) is a direct, large industrial consumer of the Applicant; and
 - (b) represents the unique interests and policy perspectives of large industrial customers of natural gas and suppliers of RNG.
9. In this manner, GFL represents many interests that are central to the Board's mandate and its consideration of the Application and the Program and its interests are not otherwise likely

to be represented by other participants in this proceeding. GFL therefore submits that it falls squarely within the Board's cost eligibility guidelines, and therefore warrants cost eligibility.

E. GFL's Representatives

10. GFL hereby requests that further communications with respect to this proceeding be sent to the following:

GFL Environmental Inc.

100 New Park Place, Suite 500
Vaughan, Ontario
L4K 0H9

Attention: Jennifer Ahluwalia
Telephone: 905-326-0101
Email: jahluwalia@gflenv.com

AND TO ITS COUNSEL

DeMarco Allan LLP

Bay Adelaide Centre
333 Bay Street, Suite 625
Toronto, ON M5H 2R2

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

Attention: Jonathan McGillivray
Tel: 647-208-2677
Facsimile: 1-888-734-9459
Email: jonathan@demarcoallan.com

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS
20th day of April, 2020.

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a long, sweeping horizontal line that ends in a small arrowhead pointing to the right.

Lisa (Elisabeth) DeMarco
DeMarco Allan LLP
Counsel for GFL Environmental Inc.