

John A.D. Vellone
T (416) 367-6730
F 416.367.6749
jvellone@blg.com

Flora Ho
T (416) 367-6581
F 416.367.6749
fho@blg.com

Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada M5H 4E3
T 416.367.6000
F 416.367.6749
blg.com



May 22, 2019

Delivered by Email & RESS

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

Dear Ms. Long:

RE: Ontario Energy Board's Consultation on the Deferral Account – Impacts Arising from the COVID-19 Emergency
File No: EB-2020-0133
Association of Power Producers of Ontario (“APPPrO”) Request to Participate in Consultation

We are counsel to APPrO in above captioned matter.

On May 14, 2020, the Ontario Energy Board (the “Board” or “OEB”) issued a letter stating that it is commencing consultation on a deferral account relating to impacts arising from the COVID-19 emergency (the “Account”) in the electricity and gas sectors (the “Consultation”).

The OEB has invited interested stakeholders to participate in this consultation.

APPrO represents, among other types of generation, the majority of gas-fired generators in Ontario, and wishes to participate. APPrO is participating only as it relates to the Account established by Enbridge Gas Inc. as it affects gas-fired generators who are its customers.

APPrO and Its Interest in the Consultation

APPrO is a non-profit organization representing more than 100 companies involved in the generation of electricity in Ontario, including generators and suppliers of services, equipment and consulting services. APPrO's members produce electricity from natural gas, hydro, nuclear, wind, biogas and other sources. APPrO's members have a direct and significant interest in the Consultation as among APPrO's members are gas-fired generators who are customers of Enbridge Gas Inc. in both Enbridge Gas Distribution Ltd. and Union Gas Ltd. franchise areas. Enbridge Gas Inc. as a natural gas distributor has been ordered to establish the Account based on the Board's accounting order dated March 25, 2020¹.

¹ Ontario Energy Board – Accounting Order for the Establishment of Deferral Accounts to Record Impacts Arising from the COVID-19 Emergency, March 25, 2020.

APPrO's interest in this matter is in respect of the establishment of the Account by Enbridge Gas Inc. and all related issues arising therefrom, as it affects the gas-fired generators who are its customers.

APPrO's Experience as a Frequent Intervenor

APPrO has a record of frequent participation in OEB proceedings as an intervenor. This includes proceedings involving Hydro One Networks Inc., Enbridge Gas Ltd., Union Gas Ltd., Enbridge Gas Distribution Inc., the Independent Electricity System Operator and the former Ontario Power Authority, as well as OEB-sponsored consultations.

Nature and Scope of APPrO's Intended Participation

APPrO intends to be an active participant in this proceeding, and will act responsibly to coordinate with other participants where common issues may arise and be otherwise addressed. As mentioned, APPrO intends to participate by assisting the Board in identifying issues regarding the Account, developing new accounting guidance related to the Account, and providing comments in accordance with the Board's procedures stipulated for the Consultation, as it relates to gas-fired generators who are customers of Enbridge Gas Inc.

Costs

Pursuant to s. 3.06 of the Board's Practice Direction on Cost Awards, APPrO intends to seek an award of costs. In accordance with s. 3.03(a) of the Board's Practice Direction on Cost Awards, APPrO represents the direct interests of consumers in relation to the matter in the Consultation.

In addition, APPrO has previously participated in many natural gas proceedings as well as OEB consultations and has been found eligible to recover its reasonably incurred costs as a participant in those gas-related proceedings and consultations.

Counsel and Representative

APPrO requests that the Board and all parties provide it and its counsel with electronic copies of all documents and correspondence related to the proceeding, at the contact information below:

David Butters
President & CEO
The Association of Power Producers of Ontario (APPrO)
Suite 1040, 67 Yonge Street
Toronto, ON M5E 1J8
Tel: 416-322-6549
david.butters@appro.org

John A.D. Vellone
Partner
Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide St W.

Toronto, ON M5H 4E3
Tel: (416) 367-6730
Facsimile: (416) 361-6749
Email: jvellone@blg.com

Flora Ho
Associate
Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide St W.
Toronto, ON M5H 4E3
Tel: (416) 367-6581
Facsimile: (416) 361-6749
Email: fho@blg.com

Yours very truly,

BORDEN LADNER GERVAIS LLP

Per:

Original signed by Flora Ho

Flora Ho

cc: David Butters, APPrO