

**IN THE MATTER OF the Ontario Energy Board Act,
1998, S.O. 1998, c.O.15, Sch. B;**

**AND IN THE MATTER OF an Application by Union
Gas Ltd. for an Order or Orders approving or fixing
rates for the sale, distribution, transmission and
storage of gas commencing
January 1, 2010.**

**NOTICE OF INTERVENTION

OF THE

SCHOOL ENERGY COALITION**

1. The School Energy Coalition applies for intervenor status in this proceeding.

General Interest of the Intervenor

2. The School Energy Coalition is a coalition established to represent the interests of all Ontario publicly-funded schools in matters relating to energy regulation, policy, and management. It is made up all seven of the major school-related organizations, representing all of the school boards, and all levels of school management, and through them representing the approximately 5000 schools and about 2 million students in Ontario. The primary goal of these organizations is to promote and enhance public education for the benefit of all students and citizens of Ontario.
3. The intervenor's members have a significant interest in the activities of regulated gas utilities and their affiliates in the province, due to the severe financial implications those activities have on school boards, their students and the people of the province of Ontario. Utility costs are one of the most significant cost pressures facing school boards. The cost of utilities to the intervenor's members, of which electricity and natural gas are the major components, is currently in excess of \$360 million, and has increased rapidly over the last five years. To produce balanced budgets in the face of ever increasing utility costs, school boards have repeatedly been forced to cut essential programs and services to the detriment of the students and the public of the province of Ontario.

Issues to be Addressed

4. The School Energy Coalition is intervening:

- a. to review and assess whether Union Gas' proposed adjustments to the rates it charges for the distribution, transmission and storage of natural gas are consistent with the price cap index established by the Board in EB-2008-0606 and related proceedings ; and
 - b. generally to represent the interests of the school boards and their students in this proceeding in all major aspects of the application.
5. The foregoing summary is intended to be illustrative but not exhaustive. The School Energy Coalition will continue to review Union Gas' evidence as the balance of the pre-filing herein is completed and the record continues to develop, and will advise parties of any further areas of interest/concern prior to the alternative dispute resolution conference, or if applicable, thereafter.

The Intervenor's Intended Participation

6. The School Energy Coalition intends to participate actively in the interrogatory, issues scoping and settlement discussions phases of this proceeding in respect of the issues of concern to its members, as partially identified above. The School Energy Coalition's participation in the balance of the proceeding will be dependent on the outcome of these pre-hearing phases. The School Energy Coalition may thereafter continue to be active in the case, undertaking cross-examination focused on areas of concern to its members, leading evidence if appropriate on those areas, and filing argument thereon.

Counsel/Representative

7. The School Energy Coalition requests that a copy of all documents filed with the Board by each party to this proceeding be served on the Applicant, and on the Applicant's counsel and case manager as follows:

- (a) School Energy Coalition:

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

Attn: Bob Williams, Co-ordinator
Phone: 416 340-2540
Fax: 416 340-7571
Email: bwilliams@opsba.org

(b) School Energy Coalition's counsel:

SHIBLEY RIGHTON LLP
Barristers and Solicitors
250 University Avenue, Suite 700
Toronto, Ontario, M5H 3E5

Attn: John De Vellis
Phone: 416 214-5232
Fax: 416 214-5432
Email: john.devellis@shibleyrighton.com

Costs

8. The School Energy Coalition intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this proceeding.

Respectfully submitted on behalf of the School Energy Coalition this 16th day of September, 2009.

SHIBLEY RIGHTON LLP

Per: _____
John De Vellis