



**PUBLIC INTEREST ADVOCACY CENTRE**  
**LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC**

**ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7**

Tel: (613) 562-4002. Fax: (613) 562-0007. e-mail: [piac@piac.ca](mailto:piac@piac.ca). <http://www.piac.ca>

Michael Buonaguro  
Counsel for VECC  
(416) 767-1666

May 19, 2010

**VIA MAIL and E-MAIL**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge St.  
Toronto, ON  
M4P 1E4

Dear Ms. Walli:

**Re: Vulnerable Energy Consumers Coalition (VECC)**

**Notice of Intervention: EB-2010-0039**

**Union Gas Limited Application for 2009 Earnings Sharing and Deferral  
Account and Other Balances Disposition**

Please find enclosed the Notice of Intervention of the Vulnerable Energy Consumers Coalition (VECC) in the above-noted proceeding. We have also directed a copy of the same to the Applicant.

Yours truly,

Michael Buonaguro  
Counsel for VECC

cc: Chris Ripley

**ONTARIO ENERGY BOARD**

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

**AND IN THE MATTER OF** an Application by Union Gas Limited for an Order or Orders amending or varying the rate or rates charged to customers as of October 1, 2010.

**NOTICE OF INTERVENTION**

**OF**

**VULNERABLE ENERGY CONSUMERS COALITION (VECC)**

To: Ms. Kirsten Walli  
Board Secretary

And to: Union Gas Limited  
Attn: Mr. Chris Ripley  
Manager, Regulatory Applications

1. The Vulnerable Energy Consumers Coalition (VECC) hereby expresses its intention to intervene and participate in the above-mentioned proceeding. VECC consists of the following organizations:
  - (a) The Federation of Metro Tenants Association
  - (b) The Ontario Coalition of Senior Citizens' Organizations (OCSCO)

2. The Federation of the Metro Tenants Association is a non-profit corporation composed of over ninety-two affiliated tenants associations, individual tenants, housing organizations, and members of non-profit housing co-ops. In addition to encouraging the organization of tenants and the promotion of decent and affordable housing, the Federation provides general information, advice, and assistance to tenants. The address is:

500-27 Carlton Street  
Toronto, ON  
M5B 1L2

3. The Ontario Coalition of Senior Citizens' Organizations (OCSCO) is a coalition of over 120 senior groups as well as individual members across Ontario. OCSCO represents the concerns of over 500,000 senior citizens through its group and individual members. OCSCO's mission is to improve the quality of life for Ontario's seniors. OCSCO's address is:

660 Briar Hill Avenue, Suite 207  
Toronto, ON  
M6B 4B7

4. The name and address of the agent authorized to receive documents on behalf of VECC is:

Mr. Michael Buonaguro  
Counsel  
c/o Public Interest Advocacy Centre  
34 King Street East, Suite 1102  
Toronto, Ontario  
M5C 2X8  
(416) 767-1666 (office)  
(416) 767-1666 (fax)  
mbuonaguro@piac.ca

5. VECC requests that all correspondence and documentation also be copied to VECC's consultant:

Mr. James Wightman  
Econalysis Consulting Services  
34 King Street East, Suite 1102  
Toronto, Ontario  
M5C 2X8  
(416) 348-0640 (office)  
(416) 348-0641 (fax)  
jwightman@econalysis.ca

6. VECC requests that copies of the Application and any additional supporting materials be forwarded to each of the two parties named above.
7. VECC actively participated in Union's 2010 rates application and has been an active participant in past Union Gas applications over the last ten years. As a representative of ratepayers active in natural gas rates cases, it has also been involved in (i) rates cases involving Enbridge Gas Distribution Inc., (ii) actively participating in DSM consultatives, (iii) participating in major Board policy initiatives such as the Natural Gas Forum and NGEIR, (iv) participating in other initiatives such as the Storage and Transportation Access Rule, and (v) actively participating in the current Low Income Energy Assistance Program.
8. VECC's concerns in regard to the current proceeding include a determination as to whether Union's proposed dispositions are consistent

with previous Board decisions involving formerly regulated activities, the Settlement Agreement approved by the Board on January 17, 2008, and the Board's subsequent decisions in respect of the multi-year incentive regulation plan.

9. VECC notes that the Notice of Application states: *"The Board intends to proceed with this application by way of written hearing. The Board will not hold a written hearing if a party satisfies the Board that there is good reason for holding an oral hearing. If you object to the Board holding a written hearing, your letter of intervention must include reasons why an oral hearing is necessary."*
10. VECC submits that at this stage of the process, it is premature to offer a preference for either an oral or written hearing. VECC further submits that the Board should make provisions for written interrogatories and for a Technical Conference and/or Settlement Conference to deal with any matters arising from the responses to the written interrogatories.
11. VECC's view is that once the discovery phase of the proceeding is completed, the parties will be in a better position to state a preference between a written and an oral hearing.
12. VECC believes that there are cost allocation issues to be dealt with in this application whose resolution would likely be facilitated by a Technical Conference and/or Settlement Conference.

13. VECC will be requesting an award of costs for its participation in this proceeding and believes that, as a coalition representing the direct interests of consumers, it meets the eligibility criteria set out in the Ontario Energy Board's Rules of Practice and Procedure (Section 41) and its' Practice Direction on Cost Awards (Section 3.03).

DATED AT TORONTO, THIS 21<sup>st</sup> DAY OF MAY, 2010

Michael Buonaguro  
Counsel for VECC  
c/o Public Interest Advocacy Centre