

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

AND IN THE MATTER OF an Application by Ontario Power Generation for an Order or Orders approving payment amounts for prescribed assets effective March 1, 2011.

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 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 annual cost of energy services to the intervenor's members is currently more than \$500 million, and has increased rapidly over the last ten 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 and Intervenor's Intended Participation

4. SEC's intended participation will focus on the following issues:
 - (a) The proposed costs and offsets for the test year, the resulting revenue requirement relating to the prescribed assets, the forecast of revenues, and the resulting deficiency;
 - (b) The capital spending plan, including all proposals for capital spending in the Test Year, whether closing to rate base or not in the Test Year;
 - (c) The cost allocation proposed for the collection of the revenue requirement and deficiency from asset sub-classes;
 - (d) Special rate provisions, including provisions for special allowances and costs with respect to hydroelectric production;
 - (e) Amounts to be calculated for nuclear waste disposal and other nuclear-related accruals;
 - (f) Provision for taxes including any adjustments, and including any impacts of taxes in prior or future years to the extent proper considered in this proceeding;
 - (g) Impacts, if any, of International Financial Report Standards on the Application, the revenue requirements relating to the prescribed assets, and any other aspects of the prescribed operations of the utility;
 - (h) All requests for creation and/or clearance of deferral accounts, and all other components of the utility; and
 - (i) Generally to represent the interests of school boards and their students in this process.

The Intervenor's Intended Participation

5. The School Energy Coalition intends to participate in any pre-hearing procedures, including interrogatories or technical conferences, and settlement conferences. SEC also intends to participate in any oral hearing of this matter, and in written or oral submissions, as well as any other parts of the process that the Board should order.

Nature of Hearing Requested

6. We believe that an oral hearing will be required in this case. Until interrogatories are answered, it is impossible to determine if any issues can be dealt with by way of written submissions only.

Counsel/Representative

7. The School Energy Coalition requests that both a hard copy and an electronic copy of all documents filed with the Board by each party to this proceeding be served on the Applicant's consultant, and on the Applicant's counsel, and that an electronic copy of all documents filed with the Board by each part to this proceeding be served on the Applicant, all at the addresses 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: Wayne McNally, SEC Coordinator
Phone: 416 340-2540
Fax: 416 340-7571
Email: wmcnally@opsba.org

(b) School Energy Coalition's counsel:

JAY SHEPHERD PROFESSIONAL CORPORATION
120 Eglinton Avenue East, Suite 500
Toronto, Ontario, M4P 1E2

Attn: Jay Shepherd
Phone: 416-804-2767
Email: jay.shepherd@canadianenergylawyers.com

(c) School Energy Coalition's consultant:

MARK GARNER CONSULTING
c/o Jay Shepherd Professional Corporation
120 Eglinton Avenue East, Suite 500
Toronto, Ontario, M4P 1E2

Attn: Mark C. Garner
Phone: 647-408-4501
Email: markgarner@rogers.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 matter. The School Energy Coalition has participated in many past natural gas and electricity proceedings in Ontario, including consultations, rate cases, and other processes and hearings, and has been found eligible to be paid its reasonably incurred costs in all of those proceedings.
9. The School Energy Coalition is eligible for a cost award because it “primarily represents the interests of consumers (e.g. ratepayers) in relation to regulated services”. School boards are one of the largest groups of non-industrial energy consumers in the province, and their energy costs have a direct impact on the education of millions of Ontario children. The formation of the School Energy Coalition ensured that all representatives of the interests of schools participated jointly in OEB proceedings.
10. The School Energy Coalition is not ineligible by reason of any of the criteria contained in section 3.05 of the Practice Direction on Cost Awards.

Respectfully submitted on behalf of the School Energy Coalition this 15th day of June 2010.



Jay Shepherd
Counsel for School Energy Coalition