



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

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Michael Buonaguro
Counsel for VECC
(416) 767-1666

October 1, 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-2010-0148
Union Gas Limited – Application for Rates Effective January 1, 2011**

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
Encl.
cc: Chris Ripley

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF an Application by Union Gas Limited, pursuant to section 36(1) of the *Ontario Energy Board Act, 1998*, for an order or orders approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission, and storage of gas as of January 1, 2011.

NOTICE OF INTERVENTION

OF

VULNERABLE ENERGY CONSUMERS COALITION (VECC)

To: Ms. Kirsten Walli
Board Secretary

And to: Union Gas Limited
Attn: 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:

333 Wilson Avenue, Suite 406
Toronto, ON
M3H 1T2

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) 348-0641 (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 has been an active participant in past Union Gas applications over the last eleven years. As a representative of ratepayers active in natural gas rates cases, VECC 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, NGEIR, and the 2010 Natural Gas Market Review, (iv) participating in other initiatives such as the Storage and Transportation Access Rule, and (v) actively participating in the Low Income Energy Assistance Program.
8. VECC's concerns in regard to the current proceeding include a determination as to whether Union's proposed rates are consistent with 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. More specifically, VECC's concerns include (i) verifying that the proposed price cap increase is consistent with the Board's approvals, (ii) testing the proposed Z-factor adjustments in respect of tax savings, income tax rate changes, and the impacts of the taxable capital change, (iii) testing the proposed Y-factor adjustments including, upstream charges, storage adjustments, and the Low Income conservation and demand management programs, and (iv) testing the proposed Average Use adjustments and the associated rate design proposals.
10. VECC notes that the Notice of Application states "*Your letter of intervention should indicate your preference for a written or oral hearing and the reasons for that preference.*"
11. 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 a Settlement Conference to deal with any issues that arise from the responses to the written interrogatories.
12. VECC's view is that once the discovery phase of this proceeding is completed, VECC will be in a better position to state its preference for either a written hearing or an oral hearing.

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 1st DAY OF OCTOBER 2010

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