

IN THE MATTER of the *Ontario Energy Board Act, 1998*, as amended the *Ontario Energy Board Transmission System Code of June 10, 2010*; Hydro One Networks Inc.; and the obligation of Goldcorp Canada Ltd. and Goldcorp Inc. to pay bypass compensation.

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 cost of energy services to the intervenor's members is currently more than \$500 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. While the bypass compensation provisions of the Transmission System Code constitute a key protection that saves schools from significant incremental transmission costs, both in this case and generally, SEC's participation in this proceeding will in addition focus on:

- (a) The Applicant's challenge of the Board's jurisdiction to enact codes, and its broader impacts on the regulatory process and the Board's ability to protect the interests of ratepayers; and
- (b) The interaction between the relief claimed in this proceeding and the rationale for the Leave to Construct decision in EB-2011-0106, and therefore any effect of this decision on the continued appropriateness of that prior decision.

The Intervenor's Intended Participation

- 5. The School Energy Coalition intends to participate in any pre-hearing procedures, including interrogatories and technical 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 it is premature to assess whether a written or an oral hearing is more appropriate in this proceeding.

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, as follows:

- (a) School Energy Coalition: (electronic only)

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: (electronic and paper copies)

JAY SHEPHERD PROFESSIONAL CORPORATION
2300 Yonge Street, Suite 806
Toronto, Ontario, M4P 1E4

Attn: Jay Shepherd
Phone: 416-483-3300
Cell: 416-804-2767
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Attn: Mark Rubenstein
Phone: 416-483-3300
Cell: 647-983-6726
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Email: mark.rubenstein@canadianenergylawyers.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 participate 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 10th day of November, 2011.

Mark Rubenstein
Counsel for the School Energy Coalition