

March 22, 2013

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
Suite 2700  
Toronto, Ontario, M4P 1E4

Dear Ms. Walli:

**RE: London Property Management Association Notice of Intervention & Request  
for Cost Eligibility – EB-2012-0433 – Union Gas Limited Leave to Construct -  
Parkway West Project**

Please find attached a Notice of Intervention and Request for Cost Eligibility of the  
London Property Management Association in the above noted application.

I apologize for the lateness of the this intervention request, but I only recently became  
aware of this proceeding as the LPMA did not receive any notification of the Notice of  
Application.

Sincerely,

*Randy Aiken*

Randy Aiken  
Aiken & Associates

Encl.

cc: Karen Hockin, Union Gas Limited (e-mail)  
Crawford Smith, Torys (e-mail)

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** The Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B, and in particular, S. 36 thereof;

**AND IN THE MATTER OF** The Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B, and in particular, S.90.(1) thereof;

**AND IN THE MATTER OF** The Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B, and in particular, S.91 thereof;

**AND IN THE MATTER OF** an Application by Union Gas Limited for an Order or Orders for pre-approval of recovery of the cost consequences of all facilities associated with the development of the proposed Parkway West site;

**AND IN THE MATTER OF** an Application by Union Gas Limited for an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities in the Town of Milton.

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**NOTICE OF INTERVENTION  
OF  
LONDON PROPERTY MANAGEMENT ASSOCIATION**

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**Statement of Interest**

1. The London Property Management Association ("LPMA") is a non-profit organization whose overall goal is to help property managers and those who own/operate residential income properties in the City of London and surrounding communities. The LPMA offers information and assistance to its members to help them deal with the legislation, rules and regulations that affect their business.
2. LPMA is made up of approximately 380 members ranging from single unit owners to managers and owners of in excess of 2,000 units. The membership consists of a representative cross section of the rental property owners in the London area. In total, the LPMA members own or manage more than 35,000 rental units in the London area.
3. LPMA members receive regulated natural gas service from Union Gas Limited primarily under rates M1, M2 and M4. The membership of the LPMA wishes to intervene in this proceeding because its members have a substantial interest in the issues and impacts raised by this application and the changes in Union's rates that may result from this application.

**Intervention**

4. LPMA hereby gives notice of its intention to intervene in, and appear at, all phases of the public Hearing.

5. LPMA reserves the right to be heard, to appear by or with counsel and/or consultant, to ask interrogatories and to cross-examine on all matters raised during the Hearing that may relate to its interests, to adduce evidence on specific matters of its choice related to the Application, and to present argument.

6. LPMA hereby requests that the Board, Union Gas and all other intervenors provide it with copies of all evidence and correspondence related to the Application and the Hearing.

### **Cost Eligibility**

7. LPMA intends to seek an award of costs. LPMA submits that it is eligible to apply for a cost award based on Section 3.03(a) of the Practice Direction on Cost Awards. LPMA submits that it is eligible for an award of costs based on the Board's eligibility criteria and requests the Board's determination of such cost eligibility.

8. As indicated above, the LPMA is comprised of small and mid sized commercial customers of Union Gas that take regulated services from Union. Its members have a substantial interest in these proceedings, including all issues that affect rates and services available to them.

9. The Board's cost eligibility criteria, found in Section 3 of the Practice Directions on Cost Awards includes a number of criteria related to the LPMA. Specifically, Section 3.03(a) states that a party is eligible to apply for a cost award where the party primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services. As indicated above, the LPMA is intervening on behalf of its members which are consumers (i.e. ratepayers) in relation to regulated services provided by Union Gas. As such, the LPMA submits that it is eligible for a cost award under Section 3.03(a).

10. LPMA notes that it has been found to be eligible for an award of costs in past proceedings for Union Gas rate applications.

### **Communications**

11. All communications related to this Notice of Intervention and to this proceeding should be directed to:

Mr. Randy Aiken  
Aiken & Associates  
578 McNaughton Ave. West  
Chatham, Ontario, N7L 4J6

Telephone: 519-351-8624  
E-mail: [randy.aiken@sympatico.ca](mailto:randy.aiken@sympatico.ca)

DATED at Chatham, Ontario this 22<sup>nd</sup> day of March, 2013.

### **LONDON PROPERTY MANAGEMENT ASSOCIATION**

By its Consultant

*Randy Aiken*

Randy Aiken  
Aiken & Associates