

April 25, 2013

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Sent By Courier**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
27th Floor  
2300 Yonge Street  
PO Box 2319  
Toronto ON M4P 1E4

Your reference  
EB-2013-0074

Our reference  
01015413-0004



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Dear Ms. Walli:

**Notice of Late Intervention – EB-2013-0074**

Please find attached a Notice of Late Intervention with respect to the above-noted proceeding.

Yours very truly,

***Original signed by***

John Beauchamp  
Associate

JB/mnm

Enclosure

Cop(y/ies) to: D. Butters (APPrO)  
J. Wolnik (Elenchus Research Associates Inc.)  
K. Hockin (Union Gas Limited)  
C. Smith (Torys LLP)

DOCSTOR: 2692954\1

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**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 Brantford-Kirkwall/Parkway D Compressor Station project;

**AND IN THE MATTER OF** an Application by Union Gas Limited for an Order or Orders for pre-approval of the cost consequences of two long term short haul transportation contracts;

**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 City of Cambridge and City of Hamilton.

**NOTICE OF LATE INTERVENTION OF**

**ASSOCIATION OF POWER PRODUCERS OF ONTARIO (“APPrO”)**

**April 25, 2013**

**John Beauchamp**

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1. We are counsel to APPrO. Pursuant to Rule 23.05 of the Board's Rules of Practice and Procedure, APPrO hereby requests late intervention status in the above-noted proceeding.
2. The late filing of this notice of intervention is attributable to APPrO only recently becoming aware of the application (neither APPrO nor its counsel can find evidence of being served the notice of application).
3. APPrO is a non-profit organization representing more than 100 companies involved in the generation of electricity in Ontario, including generators and suppliers of services, equipment and consulting services. APPrO members produce power from natural gas, as well as hydro, gas, coal, nuclear, wind, waste wood and other sources
4. Natural gas fired generators in Ontario are major customers of the Applicant.
5. Union Gas Limited ("Union") has applied to the Ontario Energy Board for approval to construct 13.9 kilometers of natural gas pipeline and associated facilities that will run from the City of Cambridge to the City of Hamilton. Union has also applied for approval to construct compressor facilities in the Town of Milton at the proposed Parkway West Compressor Station. The purpose of the compressor facilities is to move gas through the proposed new pipeline. As stated in the Notice of Application issued by the Board, the approximate total cost of the project is \$204 million.
6. Union is requesting approval of the cost consequences from the proposed facilities, and APPrO members are directly affected from the potential rate impacts flowing from this reinforcement. Many of APPrO's members are large M12 shippers and the cost consequences of this application will also impact in-franchise rates. As a result, APPrO's members have a direct and significant interest in this proceeding.
7. Pursuant to s. 3.06 of the Board's Practice Direction on Cost Awards, APPrO intends to seek an award of costs from Union as a representative of a major customer class of the Applicant. In accordance with s. 3.03(a) of the Board's Practice Direction on Cost Awards, APPrO represents the direct interests of consumers in relation to Union's regulated services. The Board has already deemed APPrO an intervenor eligible for costs in Union's Parkway West project (EB-2012-0433) and Enbridge's GTA reinforcement (EB-2012-0451). This application (EB-2013-0074) is proceeding in parallel with those applications and some aspects are being conducted jointly (e.g. Issues Day).
8. APPrO has a record of participating in Board proceedings in a responsible and efficient manner and, in addition to the matters mentioned above, has been held eligible for cost awards in other proceedings including: Union and Enbridge rates cases; and several natural gas proceedings that

had unique impacts on power generators (i.e., NGEIR, storage allocation, etc.) APPrO believes it is appropriate for the Board to do so again in the context of this proceeding.

9. APPrO reserves the right to participate in all aspects of the proceeding and hereby requests that the Board, Union and any other intervenors provide it, its counsel and its consultant with copies of all evidence and correspondence related to the proceeding, at the contact information below:

APPrO  
25 Adelaide St. East  
Suite 1602  
Toronto, ON M5C 3A1

Attention: David Butters, President  
Telephone: 416-322-6549, x231  
Facsimile: 416-481-5785  
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AND

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AND

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ALL OF WHICH IS RESPECTFULLY  
SUBMITTED THIS  
25<sup>th</sup> day of April, 2013

*Original signed by*

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John Beauchamp  
Norton Rose Canada LLP  
Counsel for APPrO