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June 25, 2015

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

Dear Ms. Walli:

**Re: Union Gas Limited
Application for 2013 Disposition of Demand Side Management Deferral and
Variance Accounts
Board File No. EB-2014-0273**

We are counsel to the Association of Power Producers of Ontario ("APPrO") in the above-referenced proceeding. We write in response to Union Gas Ltd's ("Union") June 22, 2015 letter questioning the quantum of APPrO's cost claim, dated June 15, 2015, to provide the necessary background and context that was not included in Union's letter.

Union questions the number of hours APPrO claimed in relation to other intervenors. However, Union fails to acknowledge that APPrO's role in the above-referenced proceeding was distinct from, and more involved than, that of other intervenors. As detailed below, APPrO was one of only two intervenors that entered into confidentiality undertakings to probe the evidence for the benefit of all and assist the Board in discharging its statutory duty. APPrO was also the lead intervenor in all confidential interrogatories. As such, the total amounts claimed among a senior technical consultant (\$5,127), a senior lawyer (\$1,212), and junior lawyers (\$3,369) were proportionate to APPrO's level of involvement.

First, although five intervenors participated in this proceeding, APPrO was one of only two intervenors that entered into confidentiality undertakings and reviewed the confidential portions of Union's evidence. Time and resources were incurred accordingly and APPrO's efforts and expertise were relied upon by the intervenor group.

Second, APPrO was the only intervenor to prepare and serve interrogatories relating to Union's confidential evidence. No other intervenor cost claim reflects the time required for the drafting and filing of this separate set of confidential interrogatories. Absent such probing by APPrO, the

Board would not have had discovery of the confidential matters contained in Union's evidence, and therefore would not have been so assisted in ensuring that it discharged its duties to ensure just and reasonable rates pursuant to section 36 of the *Ontario Energy Board Act*.

Given APPrO's greater level of involvement in relation to the other intervenors in this proceeding, APPrO requests that the Board approve APPrO's cost claim in full.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to be 'Lisa', with a long, sweeping horizontal stroke extending to the right.

Lisa (Elisabeth) DeMarco

CC: Vanessa Innis (Union Gas Limited)
Alexander Smith (Torys LLP)
David Butters (APPrO)
John Wolnik (Elenchus Research Associates Inc)