

Elizabeth Bellavance
On behalf of Santo Giorno and WAIT-PW
c/o WAIT-PW
P.O. Box 219
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Ontario Energy Board
Attn: Kirsten Walli, Board Secretary
PO Box 2319
27th Floor 2300 Yonge Street
Toronto ON
M4P 14

July 7, 2015

Dear Ms. Walli:

RE: EB-2014-0347: Concerns regarding disposition of the application by Suncor Energy Products Inc seeking leave to transfer its leave to construct approval granted by the OEB in EB-2014-0022

Please forward this letter for response to the appropriate, competent person for reply, and copy the following personnel (their email addresses are not readily available on the OEB website):

1. Rosemarie Leclair
Chair & CEO OEB
2. Peter Fraser
Vice President, Industry Operations & Performance
3. Lynne Anderson
Vice-President, Applications
4. John Pickernell,
Acting Manager, Applications Administration

We request that the response to this letter be affirmed by the above four personnel.

We have five issues regarding the procedure whereby EB-2014-0347 was eventually dealt with by the OEB.

These issues are:

1. The Decision and Order makes no reference to the fact the John Pickernell issued letters to both parties seeking to participate stating that a public hearing would occur and that the public relied on this decision in its correspondence.¹
2. The matter was transferred from the Applications Division to the Industry Operations and Performance Division for unknown reasons. We understand that the Applications Division is responsible for managing and processing all proceedings relating to rates, facilities, conservation and the Regulated Price Plan, as well as management of operational policies in support of applications. The Industry Operations and Performance Division on the other hand focuses on the Board's interface with industry. It is responsible for the management of the Board's codes and rules relating to regulated entities, liaison with industry stakeholders, the audit of regulated entities, the assessment of utility performance and the Board's licensing and reporting functions. We cannot understand why the Applications Division was not deemed competent to carry on with the management and processing of this proceeding.²
3. The decision was rendered "by delegation" before Peter Fraser on June 25 2015, with no reasons given for this departure from what we the public understand to be OEB standard operating procedure.
4. Interested members of the public were not invited to participate in the "delegation meeting".
5. The Decision and Order provides no details of the delegation meeting itself – who instigated it, who was present, when it occurred, what documents were exchanged, what arguments were raised, whether the public was represented by Board Staff.

The Decision and Order characterizes this transfer as "purely one of legal ownership structure". It treats the ownership issue as a mechanistic matter, devoid of public interest elements. It appears that the

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http://www.rds.ontarioenergyboard.ca/webdrawer/webdrawer.dll/webdrawer/search/rec?sm_udf10=EB-2015-0129&sortd1=rs_dateregistered&rows=200 Specifically, please see Acknowledgement Letters of Friday April 17, 2015 and Wednesday April 22, 2015.

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<http://www.ontarioenergyboard.ca/OEB/Industry/About+the+OEB/Who+We+Are/Executive+Management+Team>

transfer application was politicized by shifting the application from the management division to the division that engages in interface/liaison with industry.

It is clear from our submissions that we do not view this transfer as a mechanistic exercise.

That being said, we seek to more fully understand and appreciate what transpired and become educated regarding the conditions under which this treatment becomes standard practice.

We look forward to receiving your responses.

Sincerely,

Elizabeth Bellavance
Elizabeth.Bellavance@wait-pw.ca