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January 14, 2016

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Request for Intervenor Status, Eligibility for an Award of Costs
Regional Planning and Cost Allocation Review
Board File Number: EB-2016-0003**

Willms & Shier Environmental Lawyers LLP (“Willms & Shier”) is legal counsel to Northwatch.

Northwatch is a public interest organization concerned with environmental protection and social development in northeastern Ontario. Founded in 1988 to provide a representative regional voice in environmental decision-making and to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives, Northwatch has a long-term and consistent interest in electricity planning in Ontario. In particular, Northwatch’s interests are with respect to electricity generation and transmission in northeastern Ontario, conservation and efficiency measures, and rates and rate structures. Northwatch is a coalition of community and district based environmental, social justice and social development organizations.

The purpose of this letter is to identify Northwatch’s interest in the Regional Planning and Cost Allocation Review and to seek intervenor status and eligibility for any award of costs.

Northwatch’s contact is Ms. Brennain Lloyd, consultant for Northwatch. Ms. Lloyd’s contact information is as follows:

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Northwatch
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North Bay, ON P1B 8H2
Attn: Ms. Brennain Lloyd

HOW NORTHWATCH IS OR MAY BE AFFECTED BY THE REGIONAL PLANNING AND COSTS ALLOCATION REVIEW

Northwatch seeks to participate as an intervenor in the Regional Planning and Cost Allocation Review.

The residents and regions of northeastern Ontario will or may be affected by the Regional Planning and Cost Allocation Review in as far as it relates to:

- ♦ how the electricity framework and in particular regional planning of electricity in Northern Ontario may evolve in support of and/or counter Northwatch's interests and objectives, and
- ♦ whether and/or how the balance of demand and supply of electricity at a regional level will be affected.

Northwatch intends to focus on how the outcomes of the review may potentially affect load customers in northern – and particularly rural northern – regions. Northwatch intends to assist the Board in considering how northern ratepayers might be affected and how the electricity framework and in particular regional planning of electricity in Northern Ontario may evolve in support of and/or counter Northwatch's interests and objectives, including achieving a balance of demand and supply of electricity at a regional level.

DESCRIPTION OF NORTHWATCH

Northwatch was founded in 1988 as a regional coalition of individuals and organizations concerned with the protection of the environment and with social equity. Northwatch has a diverse membership which includes local and district-based environmental groups, cottagers associations, naturalist clubs, church-based Aboriginal support groups, women's organizations, and local peace groups.

Individual members include those who self-identify as professionals, trappers, tourist outfitters, paddlers, parents, educators, conservationists, hunters and fishers, and environmentalists. The common thread throughout Northwatch's membership is a deep commitment to the region of northeastern Ontario and to the health, well-being and sustainability of the human and natural communities throughout the region.

Northwatch's membership base and area of interest is the land mass north of the French River, comprised of the districts of Nipissing, Sudbury, Algoma, Manitoulin, Cochrane and Timiskaming, and including the land area north of the road system, generally known as the Hudson's Bay lowlands.

Northwatch is well respected for its policy and research work, public education programs, and its holistic approach to environmental and social planning and decision-making. Through a membership that is geographically dispersed throughout the region and through more than twenty years of work that is regionally based, Northwatch has an extensive knowledge of northeastern Ontario and the diverse and interconnecting issues of energy, natural resource and environmental management.

Northwatch has a history of involvement in energy policy. Recently, Northwatch has actively participated as an intervenor and has been found eligible for an award of costs in the following Board proceedings:

- ◆ The Integrated Power System Plan (“IPSP”)
- ◆ The Transmission Connection Cost Responsibility Review (EB-2008-0003)
- ◆ Proposed Amendments to the Distribution System Code (EB-2009-0077)
- ◆ The Regulatory Treatment of Infrastructure Investment for Ontario's Electricity Transmitters & Distribution (EB-2009-0152)
- ◆ The Renewed Regulatory Framework for Electricity and subsequent proceedings relating to regional planning and amendments to the TSC and DSC (EB-2011-0043)
- ◆ East-West Tie Line proceeding (EB-2011-0140)
- ◆ The Proposal to Amend the Licence of the Ontario Power Authority (EB-2013-0192).

Northwatch has provided input to the Board on a number of occasions about the need for regional electricity planning in Ontario, particularly in the northeast region.

NATURE AND SCOPE OF NORTHWATCH’S INTENDED PARTICIPATION

The nature and scope of Northwatch’s participation will be that of an intervenor and will participate as directed by the Board, including preparing and filing written submissions.

Northwatch may retain an expert, Mr. Bill Marcus of JBS Energy Inc., to review the relevant materials in this proceeding and assist Northwatch in its submissions to the Board. Mr. Marcus has assisted Northwatch in other proceedings before the Board, including the Renewed Regulatory Framework for Electricity. Northwatch has filed Mr. Marcus’ CV in past proceedings. Northwatch will provide the Board with Mr. Marcus’ updated CV if Northwatch retains Mr. Marcus.

GROUNDINGS FOR NORTHWATCH ELIGIBILITY FOR COSTS

Northwatch intends to seek costs from the Board in relation to its participation in this review in accordance with the Ontario Energy Board’s “Practice Direction on Cost Awards”. Section 3 describes cost eligibility and Section 4 describes the cost eligibility process.

- 3.03 A party in a Board process is eligible to apply for a cost award where the party:*
- (a) primarily represents the direct interests of consumers (e.g. ratepayers) in relation to services that are regulated by the Board; (b) primarily represents an interest or policy perspective relevant to the Board’s mandate and to the proceeding for which*

cost award eligibility is sought; or (c) is a person with an interest in land that is affected by the process.

Northwatch meets all three of the eligibility criteria, but as a policy-focused public interest organization, its primary purpose is with respect to (b).

Northwatch's primary purpose is to represent the public interest with respect to environmental protection and resource management matters in northeastern Ontario. Northwatch is a strong supporter of regional planning at the highest level, and as such, welcomes this initiative and related initiatives. However, as a coalition of interests which includes those represented by social organizations, Northwatch also has an interest and a relevant perspective with respect to consumer concerns, many of which are unique in northeastern Ontario, relative to a provincial or more urban context (i.e. criterion a).

Northwatch represents the interests of the environment and of the residents of northeastern Ontario who identify and express environmental concerns; it is within the mandate of the Ontario Energy Board to consider such matters as the effect on the environment (i.e. criteria b). Further, our members have an interest in the land that is or may be affected by the process (i.e. criterion c). That interest may in some cases be a private interest, but in every case is also a public interest and a matter of policy.

Northwatch will make a responsible, unique and beneficial contribution to the Regional Planning and Cost Allocation Review proceeding.

As a not-for-profit organization, Northwatch's participation in this proceeding is dependent on any cost awards it receives.

COOPERATION WITH OTHER GROUPS

Northwatch understands the importance of avoiding duplication of effort and any unnecessary differences of opinion on issues of mutual concern to other intervenors. Northwatch will work with the other intervenors, where possible, to avoid repetition. Northwatch understands that a responsible intervention will add value and is deserving of costs.

Northwatch communicates regularly with other stakeholder groups on electricity related matters. As a coalition with a diverse network of members and associates, Northwatch's experience and perspective is unique to northeastern Ontario, and as such would not be served by joining with other groups for this exercise. However, Northwatch will continue to communicate with other stakeholders and combine efforts where possible in order to bring efficiencies to the Board's Regional Planning and Cost Allocation Review proceeding.

Contacts for the distribution list are as follows:

- ◆ Brennain Lloyd, consultant for Northwatch, e-mail: brennain@onlink.net
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Thank you for your consideration. We look forward to a positive response to this expression of interest and to participating in the Regional Planning and Cost Allocation Review proceeding.

Yours truly,

Julie Abouchar

Partner

*Certified as a Specialist in Environmental Law
by the Law Society of Upper Canada*