



January 25, 2016

Filed on RESS and Sent via Courier

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 approval to establish a Greenhouse Gas Emissions
Impact Deferral Account
Board File No. EB-2015-0367**

We are counsel to the Association of Power Producers of Ontario (“**APPrO**”). Please find enclosed APPrO’s Notice of Intervention requesting intervenor status and cost eligibility in the above-noted proceeding.

Yours very truly,

A handwritten signature in black ink, consisting of a stylized, flowing script that begins with a large loop and extends to the right.

Lisa (Elisabeth) DeMarco

ONTARIO ENERGY BOARD

IN THE MATTER OF the Ontario Energy Board Act,
1998, S.O. 1998, c.15 (Schedule B) s. 36;

AND IN THE MATTER OF an Application by Union Gas
Limited for approval to establish a Greenhouse Gas
Emissions Impact Deferral Account.

EB-2015-0367

NOTICE OF INTERVENTION

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

January 25, 2016

A. APPrO and its Interest in the Proceeding

1. 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's members produce electricity from natural gas, hydro, coal, nuclear, wind, biogas and other sources.
2. Union Gas Limited ("**Union**") has filed an application for approval of an accounting order to establish a deferral account to record the impacts of provincial and federal regulations related to greenhouse gas emission requirements (**EB-2015-0367**).
3. Most of APPrO gas-fired generator members are large volume customers within Union's franchises and may be directly affected by Union's actions relating to Greenhouse Gas emission requirements. Continued access to sufficient supplies of competitively priced natural gas is paramount for these generators to help ensure the reliability of gas-fired electricity generation and the production of competitively priced electricity in Ontario.

B. APPrO's Experience as a Frequent Intervenor

4. APPrO has a record of participating in Board proceedings as an intervenor. A description of APPrO, its mandate and objectives, membership and representative constituency, and programs and activities are summarized in Attachment I.

C. Nature and Scope of APPrO's Intended Participation

5. APPrO intends to be an active participant in this proceeding, and will act responsibly to coordinate with other intervenors where common issues may arise and be otherwise addressed. APPrO intends to participate to request information, participate in any requisite motions, test evidence through the stipulated processes, submit written interrogatories and provide argument. Subject to the development of the record in this matter, APPrO may also submit evidence.

D. Costs

6. In accordance with s. 3.03(a) of the Board's Practice Direction on Cost Awards, APPrO is eligible to seek an award of costs from Union, as APPrO is a party that primarily

represents the direct interests of consumers in relation to services that are regulated by the Board.

7. The Board has deemed APPrO an intervenor eligible for costs in previous proceedings. These proceedings include, among others: Enbridge's 2014-2018 IRM Proceeding (EB-2013-0459), Union's 2014-2018 IRM Proceeding (EB-2013-0202) and Enbridge's and Union's DSM Proceedings (EB-2015-0029/EB-2015-0049). APPrO believes it is appropriate for the Board to award APPrO costs in the context of this proceeding as well.

E. APPrO's Representatives

8. If APPrO is granted intervenor status by the Board, APPrO requests that further communications with respect to this proceeding be sent to the following:

Association of Power Producers of Ontario

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

Attention: David Butters, President
Telephone: 416-322-6549, x231
Facsimile: 416-481-5785
Email: david.butters@appro.org

AND TO ITS CONSULTANT

Elenchus

34 King Street East
Toronto, ON M5C 2X8

Attention: John Wolnik
Telephone: (519) 474-0844
Email: jwolnik@elenchus.ca

AND TO ITS COUNSEL

DeMarco Allan LLP

200-5 Hazelton Avenue
Toronto, ON M5R 2E1

Attention: Elisabeth DeMarco
Telephone: 647-991-1190
Facsimile: 1-888-734-9459
Email: lisa@demarcoallan.com

Attention: Cary Ferguson
Tel: 1-888-389-5798
Facsimile: 1-888-734-9459
Email: cary@demarcoallan.com

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS
25th day of January, 2016



Lisa (Elisabeth) DeMarco
DeMarco Allan LLP
Counsel for APPrO

ATTACHMENT I

The Association of Power Producers of Ontario

Description

The Association of Power Producers of Ontario (“**APPrO**”) is a not-for-profit trade and professional organization which represents Ontario-based commercial electricity generators and suppliers of services, equipment and consulting services. APPrO is the largest organization of its type in Canada. APPrO was established in 1986 as the Independent Power Producers’ Society of Ontario and changed its name to APPrO in 2003.

Mandate and objectives

APPrO’s principal objective is the achievement of an economically and environmentally sustainable electricity sector in Ontario that supports the business interests of electricity generators. APPrO’s role in the electricity sector is to raise awareness and understanding of its members’ concerns with senior decision-makers in government, regulatory bodies and the public at large.

Membership and representative constituency

APPrO currently has about 100 corporate members, who collectively produce more than 95% of the electricity made in Ontario. APPrO’s members produce electricity from a range of sources, including natural gas, hydroelectricity, cogeneration, windpower, solar energy, biomass, biogas, nuclear energy, coal, and other sources. The total value of assets owned or operated by APPrO members is estimated at more than C\$50 billion, and the total annual sales of electricity by APPrO members exceeds C\$7 billion per year (wholesale value).

Programs and activities

APPrO acts as an advocate for its members. It aims to have a voice on regulatory and policy issues which affect generators in Ontario, including electricity market rules, power procurement processes, the regulation of the natural gas market (both provincially and federally), climate change rules and compliance mechanisms, approval requirements, transmission development, distributed generation, and a number of other issues. APPrO is a leading advocate for public policies and regulatory treatments that it believes will facilitate the development of power generation in the province and assist in the development of a more open and competitive market for power.

APPrO also organizes industry conferences and produces a number of publications. APPrO’s magazine, IPPSO FACTO, is an authoritative periodical on the electricity business and policy issues in Canada.

APPrO’s authorized representative in OEB proceedings

APPrO’s authorized representatives in proceedings before the Ontario Energy Board (the “Board”) is through its consultant, Elenchus Research Associates (“**Elenchus**”), represented by John Wolnik, and counsel, DeMarco Allan LLP, represented by Elisabeth DeMarco, with support from associates.