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Our File No. 65152

Ontario Energy Board
23 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

Attention: Ms. Kristen Walli, Board Secretary

Dear Ms. Walli,

**Re: Hearing - Cost Recovery for Expansion of Natural Gas Services - EB-2016-0004 (the "Proceeding");
Request for Intervenor Status and Cost Award Eligibility**

The law firm of Weiler, Maloney, Nelson has been retained as external counsel for the following parties with respect to the above noted matter:

- Northwestern Ontario Associated Chambers of Commerce ("NOACC");
- Northwestern Ontario Municipal Association ("NOMA"); and
- Common Voice Northwest ("CVNW");

(collectively the "NOACC Coalition").

In response to the Ontario Energy Board ("OEB") notice with respect to the Proceeding, the NOACC Coalition, and its respective members individually, are requesting standing as Intervenors.

Background

NOACC:

NOACC represents over 2,000 commercial and business consumers in the Northwest Region, primarily small business, in their capacity as ratepayers (and in the case of those businesses located in communities that do not yet have access to natural gas, prospective future ratepayers) of regulated services. NOACC covers a large geographical area that includes every Chamber of Commerce from Marathon to the Manitoba border.

Common Voice Northwest

Common Voice Northwest is a corporation duly incorporated in the province of Ontario. CVNW began as an alliance between NOMA and NOACC and others which led to the creation of a formal coalition of interested organizations to advise them on issues related to Northwestern Ontario.

CVNW has absorbed a NOMA created subcommittee, the Energy Task Force (“ETF”). The ETF is a research facility with a specific mandate to investigate and make recommendations on issues related to energy issues in the Northwest Region.

NOMA

NOMA represents the interests of the ratepayers (and in the case of municipalities that do not yet have access to natural gas, prospective future ratepayers) in all of the municipalities from Kenora and Rainy River located in the west to Hornepayne and White River in the east. One hundred percent of the Municipalities in the Districts of Kenora, Rainy River and Thunder Bay are members of NOMA. NOMA provides leadership in advocating the interests of those ratepayers (or future prospective ratepayers) and the Northwest Regional generally.

Substantial Interest

NOACC has a substantial interest in this consultation because NOACC:

1. represents the member businesses of the individual Chambers of Commerce throughout the Northwest Region;
2. understands and can speak to the direct interests of the industrial, business, commercial and residential ratepayers (and in the case of those businesses located in communities that do not yet have access to natural gas, prospective future ratepayers) throughout the Northwest Region (population approximately 250,000);
3. membership will be directly impacted by :
 - a. the creation of new mechanisms, or revisions to existing tests, with respect to cost recovery mechanisms for the expansion of natural gas service in rural and remote Ontario communities; and
 - b. the reduction of barriers to natural gas expansion, generally
4. is keenly aware of the short, medium, and long terms issues with respect to transmission and distribution of natural gas its members face in the Northwest Region, and as such can provide important and unique perspectives of ratepayers (and in the case of those businesses located in communities that do not yet have access to natural gas, prospective

future ratepayers) in relation to cost recovery of expansion of Ontario's natural gas service, specifically:

- a. the effect of the proposed cost recovery and expansion of Ontario's natural gas service on its members generally, the growth (or lack thereof) of their businesses; and
 - b. the impact on future economic development in the Northwest Region, particularly in mining and forestry sectors;
5. is interested in ensuring that cost recovery mechanisms relating to expansion of natural gas in the Northwest region are appropriately developed and that the proposed mechanisms or revisions to existing tests appropriately reflect and consider issues specific to the Northwest Region; and
 6. is in a position to provide the OEB clearly defined consumer needs with respect to cost recovery relating to expansion of natural gas service and wishes to ensure the needs of current and future members are considered.

CVNWX has a substantial interest in this consultation proceeding because:

1. Members of CVNWX have recent experience on matters related to the transmission and distribution of natural gas and the practical knowledge of how proposed cost recovery mechanisms would affect the Northwest Region, particularly in terms of attracting new investment in resource based infrastructure.
2. CVNWX represents member business, industry, labour, municipalities, schools, postsecondary institutions, multicultural organizations and development agencies, training boards and community groups throughout the Northwest Region;
3. CVNWX understands and can speak to the direct business and social interests of their members in the Northwest Region; and
4. Through the Energy Task Force (ETF), CVNWX has joined in the creation of a regional research committee of interested and experienced individuals who, by living and working in the northwest, are keenly aware of the geographical and technical issues relating to natural gas transmission and distribution in the region.

CVNWX will be able to provide valuable insight into not only issues related to cost recovery mechanisms relating to natural gas expansion but also to environmental and other social imperatives, including but not limited to social imperatives that are geographical, economic and commercial.

NOMA has a substantial interest in this consultation because **NOMA**:

1. understands and can speak to the direct interests of the industrial, business, commercial and residential ratepayers (and in the case of municipalities that do not yet have access to natural gas, prospective future ratepayers) throughout the Northwest Region (population approximately 250,000);
2. represents 21 communities that are not connected to the existing natural gas distribution system and are forced to utilize fuel oil, electricity or wood for heating of homes, institutions and businesses. Fifty eight percent of the municipalities in Northwestern Ontario are not connected to the natural gas distribution system.
3. can provide important and unique perspectives of ratepayers (and in the case of municipalities that do not yet have access to natural gas, prospective future ratepayers) in relation to transmission and distribution of natural gas and impacts of proposed cost recovery mechanisms for expansion of natural gas service in Ontario, particularly with respect to how such mechanisms will impact infrastructure development in the Northwest region particularly in terms of attracting new investment in resource based infrastructure; and
4. is interested in ensuring that cost recovery mechanisms relating to expansion of natural gas in the Northwest region are appropriately developed and that the proposed mechanisms or revisions to existing tests appropriately reflect and consider issues that effect the Northwest Region specifically.

Collaboration

The above noted members of the NOACC Coalition have agreed to co-operate in making submission to the OEB with respect to the above noted Consultation and have authorized Weiler, Maloney, Nelson, to make submission in the common interest of all of them.

The members of the NOACC Coalition will collaborate, represented by Weiler, Maloney, Nelson, to provide their collective questions, submissions and arguments in relation to not only issues related to cost recovery mechanisms for expansion of natural gas service to Ontario but also to environmental and other social imperatives, including but not limited to social imperatives that are peculiar to the geographical, economic and commercial needs of the Northwest Region. The NOACC Coalition has been and will continue to be proponents of coordinated, comprehensive regional planning in the development of natural gas infrastructure in the Northwest as a Region.

Cost Awards

CVNW and NOACC will, individually, seek designation as persons, under Section 30 of the *Ontario Energy Board Act, 1998*, eligible to receive costs. The basis for the designation would be the representative nature of the CVNW and NOACC in the Northwest Region itself and the

indicated collaboration that the NOACC Coalition, including CVNW and NOACC will continue to pursue with other Interested Parties representing the interests of the Northwest Region. Each of CVNW and NOACC represent the direct interests of consumers, as ratepayers (and in the case of businesses located in communities that do not yet have access to natural gas, prospective future ratepayers), in relation to regulated services, and each can offer important and unique perspectives to the OEB.

The businesses forming the membership of NOACC are not individually ineligible by reason of any of the criteria contained in section 3.05 of the *Practice Direction on Cost Awards*.

In addition, both CVNW and NOACC represent an interest or policy perspective relevant to the Board's mandate and to this Proceeding.

NOACC represents the direct interest of ratepayers (and in the case of those businesses located in communities that do not yet have access to natural gas, prospective future ratepayers), especially the small businesses, throughout the Northwest Region. Cost recovery mechanisms for expansion of natural gas (or the lack thereof) impact those ratepayers (or prospective ratepayers, as the case may be) whose livelihood depends on a single industrial employer in a town.

CVNW and NOACC represents a public interest in seeking to ensure cost recovery mechanisms for expansion of the natural gas in Ontario positively impacts existing and future businesses, consumers, and ratepayers (and in the case of businesses located in communities that do not yet have access to natural gas, prospective future ratepayers) in the Northwest Region and the industries that they supply with goods and services.

CVNW and NOACC can offer clearly defined consumer needs to the OEB in relation to whether cost recovery mechanisms for expansion of the natural gas in Ontario reflect the specific geographic, economic and social issues effecting ratepayers (and in the case of businesses located in communities that do not yet have access to natural gas, prospective future ratepayers), consumers and businesses in the Northwest Region. The cost recovery mechanisms that will be developed and contemplated in this Proceeding for expansion of the natural gas in Ontario will impact those ratepayers (and prospective future ratepayers, as the case may be), consumers and businesses that are often dependent for their livelihood on a single industrial employer in a town, and now depend also on mineral exploration programs in the Northwest Region.

CVNW and NOACC, and their members, are or represent persons with a significant interest in land that is or may be affected by the development of cost recovery mechanisms for expansion of natural gas in Ontario (in particular the Northwest). That interest in some instances may be a private interest, but in every case it is a public interest.

Spokesperson for the NOACC Coalition

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Yours very truly,

WEILER, MALONEY, NELSON

Per:



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NAM/mpm