

**Reply to the Attention of** Mike Richmond  
**Direct Line** 416.865.7832  
**Email Address** mike.richmond@mcmillan.ca  
**Our File No.** 231915  
**Date** April 27, 2017

**RESS & E-MAIL** <boardsec@ontarioenergyboard.com>

Ms. Kristen Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319, 27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: EB-2015-0179 Phase II  
Re-Application for Intervenor Status by  
Canadian Propane Association**

### **Re-Application for Intervenor Status**

We are counsel for the Canadian Propane Association (“CPA”). The CPA applied for intervenor status in EB-2015-0179 on September 25, 2015, and was confirmed as an intervenor by the Board in Procedural Order #1 on October 16, 2015. The CPA participated fully in EB-2015-0179 before it was put on hold, and participated fully in the intervening generic hearing, EB-2016-0004.

With the resumption of EB-2015-0179, the CPA wishes to resume its participation as an intervenor, and hereby requests re-affirmation of its intervenor status in this matter.

### **Lateness of Re-Application**

We recognize that pursuant to Procedural Order #6, the Board required all previously approved intervenors to re-apply by April 13, 2017, and that the CPA’s re-application is therefore late. Procedural Order #6 was delivered to us late on a Friday afternoon, and we simply missed it, only seeing it for the first time when we noted the issuance of Procedural Order #7 yesterday. We sincerely apologize for this oversight.

We respectfully ask the Board to pardon the lateness and accept the CPA’s re-application. We do not believe that any party will be prejudiced in doing so; all of the parties, including the Applicant, have been aware of the CPA’s interest in this matter for the past 18 months, and were treating the CPA as though it were an intervenor for the past 18 months, until just yesterday. No

party will be caught by surprise by the CPA's participation in this matter. The CPA has only been "off" of the intervenor list for 24 hours out of the past 18 months. As the next step in the process is the submission of interrogatories to Union on May 10, 2017, the only party prejudiced by the lateness is the CPA itself, who will as a result have slightly less time than others to prepare interrogatories.

We take full responsibility for the lateness of this re-application, but we sincerely appreciate the Board's and the Applicant's understanding in this regard, particularly in light of the unique nature of PO #6, which effectively took the very rare step of de-registering previously approved intervenors.

### **About the CPA**

The CPA is the national voice of the propane industry in Canada, representing over 400 member companies in every region of the country. Members include propane producers, wholesalers, transporters, equipment and appliance retailers, manufacturers, and distributors, and associated industries.

The CPA works with governments and regulators on policy issues that affect the propane industry, such as providing cost efficient energy to consumers. It provides key services such as industry training through the Propane Training Institute and emergency response for liquid propane gas and flammable liquids through Emergency Response Assistance Canada. The CPA also provides industry members with a forum to collaborate on best practices for propane.

### **Relevance to the CPA**

The CPA's grounds for, and interest in, this application are twofold. First, the CPA represents propane industry members who currently serve the communities that Union seeks to supply with natural gas through this application. If natural gas becomes available in those communities as an alternative to propane, the businesses and customer base of CPA members serving those communities will be directly impacted. Furthermore, CPA members' customers who choose not to convert or are not eligible to convert may also be significantly impacted as the economics of serving those remaining customers changes. This in turn will lead to further direct impacts on CPA members.

Secondly, the Updated Application submitted by Union and the proposed SES and SES Term rely heavily on Union's forecasts of customer attachments and volumes, which in turn rely heavily on the purported conversion savings claimed by Union. As many of the conversions would be from propane to natural gas supply, the CPA, its members and their customers are in the best position to help the OEB test and verify these claims and forecasts.

**Issues to be Addressed**

The CPA intends to focus its participation on:

- accuracy of the Applicant’s forecasts and estimates
- proposed treatment of various costs and revenues

**Intended Participation Level**

The CPA intends to participate fully in all aspects of this matter, including interrogatories, settlement conferences, oral and written submissions, and any oral or written hearing processes.

**Costs**

The CPA requests that it continue to be eligible for recovery of the reasonably incurred costs of its intervention in this matter, as it was in Phase I of EB-2015-0179 and also in EB-2016-0004. The CPA represents the interests and policy perspectives of the propane industry, which includes the development of an efficient and cost effective energy sector. This is relevant to the Board’s mandate and the policy considerations underlying this application. CPA submits that it continues to meet the eligibility requirements under section 3.03(b) of the Board’s *Practice Direction on Cost Awards*.

**Communications/Representative**

The CPA requests that copies of written evidence and all circulated correspondence related to this matter be directed as follows:

<p><i>Paper and Email:</i></p> <p>Mike Richmond McMillan LLP 181 Bay Street, Suite 4400 Toronto, ON M5J 2T3 Tel: (416) 865-7832   Fax: (416) 865-7048</p> <p>mike.richmond@mcmillan.ca</p>	<p><i>Email only:</i></p> <p>Nathalie St. Pierre Chief Executive Officer Canadian Propane Association</p> <p>nathaliestpierre@propane.ca</p>	<p><i>Email only:</i></p> <p>Peter Maddox Regional Manager, Ontario Canadian Propane Association</p> <p>peter.maddox@propane.ca</p>
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On behalf of the CPA, we appreciate the Board's consideration of this submission.

Yours truly,



Mike Richmond

cc Khalil Viraney, OEB, [khalil.viraney@ontarioenergyboard.ca](mailto:khalil.viraney@ontarioenergyboard.ca)  
Vanessa Innis, Union Gas Limited, [vinnis@uniongas.com](mailto:vinnis@uniongas.com)  
Karen Hockin, Union Gas Limited, [khockin@uniongas.com](mailto:khockin@uniongas.com)  
Charles Keizer, Torys, [ckeizer@torys.com](mailto:ckeizer@torys.com)  
Julie Girvan, Consumers Council of Canada, [jgirvan@uniserve.com](mailto:jgirvan@uniserve.com)  
Michael Buonaguro, The Energy Boutique, [mrb@mrblaw.com](mailto:mrb@mrblaw.com)  
Miriam Heinz, IESO, [regulatoryaffairs.com@ieso.com](mailto:regulatoryaffairs.com@ieso.com)  
Wayne McNally, SEC, [wmcnally@opsba.org](mailto:wmcnally@opsba.org)  
Mark Rubenstein, Jay Shepherd Professional Corporation, [mark.rubenstein@canadianenergylawyers.com](mailto:mark.rubenstein@canadianenergylawyers.com)  
Jay Shepherd, Jay Shepherd Professional Corporation, [jay.shepherd@canadianenergylawyers.com](mailto:jay.shepherd@canadianenergylawyers.com)  
Ken Lamming, Mayor, Township of Prince, [klamming@princetwp.ca](mailto:klamming@princetwp.ca)  
Michael Janigan, PIAC, [mjanigan@piac.ca](mailto:mjanigan@piac.ca)  
Mark Garner, Econalysis Consulting, [markgarner@rogers.com](mailto:markgarner@rogers.com)