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April 27, 2017

BY EMAIL & BY COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge St, Suite 2701
Toronto ON M4P 1E4

Ms. Walli:

Board File No. EB-2015-0179
Union Gas Limited – Community Expansion Project
Energy Probe – Notice of Intervention (Reapplication)

Energy Probe is writing to request reconsideration of the Board's decision in Procedural Order No. 7. In that Procedural Order, the Board denied Energy Probe Research Foundation ("Energy Probe") status as an intervenor. The Board ruled that it did "not consider it necessary" to obtain the views of Energy Probe – as well as those of other parties – on supplying gas service to communities where we have no or minimal representation.

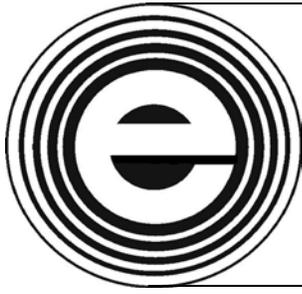
We accept that our representation in those communities is very limited.

But, as stated in our notice of intervention, filed on April 12, our focus in this hearing is limited and only deals with wider issues that may arise. Energy Probe has a strong interest in how this application fits within the EBO 188 Guidelines and its impact (if any) on the system charge. We have obtained a consultant with expertise in this area and expect to limit our comments, if we have any, solely to these wider issues.

While we understand that the Board may want to limit intervenor costs for this application, we're concerned that the Board didn't consider granting us intervenor status without costs. Regardless of funding, Energy Probe has specific expertise in any system wide impacts that may arise from this application and would like to put those views on record.

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Page 2

We also note that the Board, in response to concerns from London Property Management Association (LPMA) about upholding the cross-subsidy findings in the Generic Community Expansion Proceeding (EB-2016-0004), believes those concerns will be covered by Board Staff or other intervenors. Yet, in Board Staff's final argument in the Generic Hearing, Board Staff argued to lower both the individual threshold for expansion projects and the Investment Portfolio Guideline – both of which Energy Probe argued against. Furthermore, Energy Probe's firm position against changing or tweaking the EBO 188 guidelines was not shared by most other parties in that proceeding.

Finally, Energy Probe would also like to point to the Board's Rules of Practice and Procedure. In Section 22.02, the rules state that in applying for intervenor status, the person must satisfy that "he or she has a substantial interest and intends to participate actively and responsibly in the proceeding..." Given Energy Probe's long-standing history in the gas sector, we feel we clearly fall within those rules as they pertain to this hearing. Our organization is highly engaged with the public – through our newsletters, media appearances and public speaking engagements – on important energy issues and policies. Intervenor status allows us to ensure those ideas are tested against utility applications before the OEB.

Yours truly,

David S. MacIntosh
Case Manager

- cc. Mark Kitchen, Union Gas Limited (By email)
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