

**Ontario Energy
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**Commission de l'énergie
de l'Ontario**

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BY E-MAIL

May 5, 2017

David S. MacIntosh
Case Manager
Energy Probe Research Foundation
225 Brunswick Avenue
Toronto ON M5S 2M6

Dear Mr. MacIntosh:

**Re: Union Gas Limited (Union Gas)
OEB File Number EB-2015-0179 Phase II
Energy Probe Research Foundation (Energy Probe) Notice of Intervention
(Re-application)**

On April 27, 2017 the OEB received Energy Probe's letter requesting that the OEB reconsider its denial of Energy Probe's intervenor status in the second phase of the EB-2015-0179 proceeding.

The OEB confirms its decision rendered in Procedural Order No. 7, and will not grant Energy Probe intervenor status in the second phase of the EB-2015-0179 proceeding.

According to Energy Probe's re-application, the focus of its intervention would be the impact of proposed cost recovery on the system charge and how Union Gas' application fits within the EBO 188 Guidelines. The OEB notes that the question of maintaining adherence to EBO 188 was determined in the Generic Community Expansion Proceeding EB-2016-0004 (Generic Decision) and is not an issue in this proceeding. Therefore the proposed focus of Energy Probe is beyond the scope of this proceeding.

Regarding Energy Probe's concern with OEB Staff covering the issue of upholding the cross-subsidy findings of the Generic Decision, the OEB confirms its expectation that OEB Staff will provide its view on whether the Generic Decision is implemented appropriately. The OEB notes that the position of OEB Staff in the generic proceeding is

irrelevant in the current proceeding. Past submissions of OEB Staff have no bearing on their ability to provide submissions on the implementation of the Generic Decision in the current proceeding.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

- c. Roger Higgin, Consultant, Energy Probe
Brady Yauch, Consultant, Energy Probe
All Parties in the EB-2015-0179