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6 September 2017

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms. Walli:

Re: EB-2017-0049
Application for electricity distribution rates beginning January 1, 2018 until December 31, 2022 (the "Proceeding")

We are counsel to Energy Storage Canada (**ESC**) in the above-mentioned Proceeding. In Procedural Order No. 1 dated 30 August 2017 (**PO1**) the Ontario Energy Board (the **Board**) denied ESC intervenor status in the Proceeding on the grounds that it was unclear how ESC members would be directly and materially affected by the outcome of the proceeding. Pursuant to Rules 40.01 and 42.01 of the Board's *Rules of Practice and Procedure*, ESC requests that the Board review and vary this decision on the grounds that the Board made an error in fact by failing to apprehend that energy storage providers are directly-affected customers with a substantial interest in the Proceeding. Energy storage providers will be materially affected by its outcome because of the unique characteristics of storage.

Energy storage providers are, in fact, distribution customers when they are loading and drawing energy from the electricity distribution system, and alternatives to (or a capital investment deferral mechanism for) distribution when they are generating electricity and selling it into the wholesale electricity market. As electricity distribution customers, energy storage providers will be materially affected by the rates set in, and other outcomes of, the Proceeding. They are therefore squarely within the class of customers directly and materially affected by, and with a substantial interest in, the Proceeding¹ and part of the solution to mitigate rates being set in the Proceeding.² ESC requests that the Board therefore review and vary its decision in PO1 and grant ESC cost-eligible intervenor status in the Proceeding.

¹ *Rules of Practice and Procedure*, s. 22.02.

² *Filing Requirements for Electricity Distribution Rate Applications – 2016 Edition for 2017 Rate Application*, Chapter 2: Cost of Service, s. 2.2.2.2.

Yours very truly,

A handwritten signature in black ink, consisting of a stylized 'L' followed by a long, sweeping horizontal stroke that ends in a small arrowhead.

Lisa (Elisabeth) DeMarco