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File No.: 94172

September 12, 2016

VIA EMAIL and RESS FILING

Ms. Kristi Sebalj
Registrar
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4

Dear Ms. Sebalj,

Re: EB-2017-0024 – Alectra Utilities Corporation

I am writing on behalf of my client the Power Worker's Union ("PWU").

We are in receipt of Procedural Order No. 1 dated September 8, 2017. In that Procedural Order, the PWU was denied intervenor status in this proceeding. We are writing to request that the Board amend Procedural Order No. 1 to grant intervenor status to the PWU. If a formal notice of motion is required, please advise and we will provide it to the Board.

From Procedural Order No. 1 it appears that the Board may have been under the misapprehension that the PWU was seeking costs eligibility for this proceeding¹. This is not correct. The PWU's intervention letter dated August 30, 2017, clearly states (on p. 2) that it is not seeking a costs award in conjunction with this proceeding. A copy of the intervention letter is attached hereto. As a result, the costs of the PWU's intervention will be borne by the members of the PWU, not by the utility, or its ratepayers.

Secondly, while the Board notes that the PWU did not seek intervenor status in the rebasing applications of Alectra's predecessor utilities, the Board does not acknowledge that the PWU applied for and was granted intervenor status in the MAADs proceeding wherein the Board approved the amalgamation of the predecessor utilities and the formation of Alectra (EB-2016-0025). The PWU was an active intervenor throughout that proceeding.

In addition, the Board may not be aware that until 2017 the PWU was not the bargaining agent for three of the four predecessor utilities of Alectra (i.e., Horizon, Enersource, and Hydro One Brampton). After the formation of Alectra in 2017, the employees of Alectra voted to select the PWU as the bargaining agent for the amalgamated utility. By order of the Ontario Labour Relations

¹ See p. 1 of Procedural Order No. 1.

Board, the PWU became the bargaining agent for employees of Alectra effective July 20, 2017.

As the Board may know, the PWU is the bargaining agent for the employees of numerous utilities across Ontario. Because the PWU funds the cost of its interventions from its own resources, the PWU focuses those resources on applications which affect its largest bargaining units. As a result of the amalgamation which formed Alectra, it is now one of Ontario's largest distributors, and a substantial employer of PWU represented workers.

In Procedural Order No. 1, the Board notes that the PWU's intervention letter contains only a "broad statement of interest". It is correct that the intervention letter contains generic language. However, this is the same generic intervention letter that the PWU has used in literally dozens and dozens of prior OEB interventions of all types. The PWU has never previously been denied intervention status in any OEB proceeding. Moreover, the OEB has never previously suggested that the language of the PWU's intervention letters was inadequate in any respect. Nor has the Board indicated to long standing, regular intervenors such as the PWU that its standard for the consideration of intervention requests has been revised in some fashion since the last granting of status.

The interests of PWU represented employees of Alectra are engaged and will be affected by this proceeding. This is a rate hearing. In undertaking its responsibilities under the *OEB Act, 1995* the Board must ensure that the utility has sufficient revenues to ensure that it can undertake the work necessary to maintain and sustain its infrastructure, and provide appropriate levels of service, reliability and safety to its customers. The Board must also ensure that the costs borne by the utility's customers are reasonable. Striking the appropriate balance is an exercise in judgment. It is in the interest of PWU represented members to ensure that the experience of PWU members, who actually deliver the utility's services, is made known to the Board when the appropriate balance is struck. In the context of the present case, it is in the PWU's interest to ensure that the rate adjustment mechanisms for the various rate zones are applied appropriately, and that the ICM mechanisms applied for will provide adequate funding for necessary capital work for the utility.

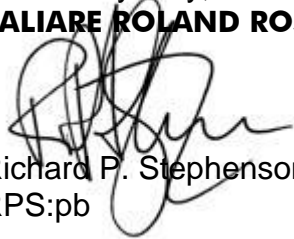
The PWU has played significant roles in each of the proceedings which led to the development of each generation of the Board's IRM mechanisms. Moreover, it has made significant and responsible contributions to the Board's examination of the relationship between the sustainment of aging infrastructure and service quality and reliability in numerous rate cases. Since Alectra may not be returning to the Board on a rebasing application for as many as 10 years, the PWU seeks, through its intervention, to ensure that all relevant perspectives are addressed in the proceeding.

The PWU has always conducted its interventions in a responsible and efficient manner, mindful of and consistent with the public interest. If permitted to intervene in this matter, the PWU will again meet this standard.

We thank the Board for its consideration of this matter.

Yours very truly,

PALIARE ROLAND ROSENBERG ROTHSTEIN LLP

A handwritten signature in black ink, appearing to read 'R. Stephenson', is written over the printed name and firm name.

Richard P. Stephenson
RPS:pb

Attach.



B A R R I S T E R S

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File No.: 94172

August 30, 2016

VIA COURIER and RESS FILING

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

Dear Ms. Walli,

Re: OPG Application – EB-2017-0024 – Alectra Utilities Corporation

We are retained to act as counsel to Power Workers' Union.

By way of this letter, the Power Workers' Union ("PWU") is requesting Intervenor status in the Board's proceedings with respect to the above-noted application.

The PWU represents a large portion of the employees working in Ontario's electricity industry (including the employees of the Applicant) and has utmost interest in regulatory proceedings that impact the provision of electricity service adequacy, reliability and safety to customers. Attached please find a list of PWU employers.

The PWU intends to be a full-time intervenor and will participate in all aspects of the hearing. The PWU's concern is OPG's ongoing ability to maintain and invest in its assets in a manner that ensures their long term reliable and safe operation, as well as the safety of OPG's employees.

The PWU has retained Richard Stephenson of Paliare Roland for legal representation and Bayu Kidane and Kim McKenzie of Elenchus Research Associates as consultants in this proceeding. Please provide copies of all communications with regard to the PWU's participation to:

Paul Reece
Chief of Staff
Power Workers' Union
244 Eglinton Avenue East.
Toronto, ON M4P 1K2
e-mail: preece@pwu.ca
Telephone: 416-322-2439
Fax: 416-481-7115

And,

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And,

Bayu Kidane
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And,

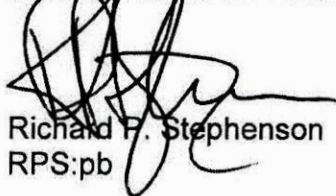
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Fax: 416-348-9930

In addition to electronic copies of evidence and communications, please provide one hard copy of the Application and any other supporting materials to Kim McKenzie, and one hard copy to counsel, Richard Stephenson.

The Power Workers' Union will not be seeking costs in respect of this proceeding.

Yours very truly,

PALIARE ROLAND ROSENBERG ROTHSTEIN LLP



Richard P. Stephenson

RPS:pb

Encl.

c: Charles Keizer / Crawford Smith
Lawyers for the Applicant

Doc 2266732 v1

List of PWU Employers

Algoma Power
AMEC Nuclear Safety Solutions
Atlantic Power Corporation - Calstock Power Plant
Atlantic Power Corporation - Kapuskasing Power Plant
Atlantic Power Corporation - Nipigon Power Plant
BPC District Energy Investments Limited Partnership
Brant County Power Incorporated
Brighton Beach Power Limited
Brookfield Power Wind Operations
Brookfield Renewable Power - Mississagi Power Trust
Bruce Power Inc.
Canadian Nuclear Laboratories (AECL Chalk River)
Compass Group Corporation of the County of Brant
Covanta Durham York Renewable Energy Ltd.
Entegrus
Erie Thames Powerlines
Erth Corporation
Great Lakes Power (Generation)
Great Lakes Power Transmission
Grimsby Power Incorporated
Halton Hills Hydro Inc.
Hydro One Inc.
Independent Electricity System Operator
Inergi LP
InnPower (Innisfil Hydro Distribution Systems Limited)
Kenora Hydro Electric Corporation Ltd.
Kinectrics Inc.
Kitchener-Wilmot Hydro Inc.
Lake Superior Power Inc. (A Brookfield Company)
London Hydro Corporation
Milton Hydro Distribution Inc.
New Horizon System Solutions
Newmarket Hydro Ltd.
Norfolk Power Distribution Inc.
Nuclear Waste Management Organization
Nuvia Canada
Ontario Power Generation Inc.
Orangeville Hydro Limited
Portlands Energy Centre
PowerStream
PUC Services
Rogers Communications (Kincardine Cable TV Ltd.)
Sioux Lookout Hydro Inc.
SouthWestern Energy
The Electrical Safety Authority
TransAlta Generation Partnership O.H.S.C.
Westario Power
Whitby Hydro Energy Services Corporation

Doc 2266732 v1