

ONTARIO ENERGY BOARD

IN THE MATTER OF an application by Newmarket-Tay Power Distribution Ltd. for leave to purchase all of the issued and outstanding shares of Midland Power Utility Corporation under section 86(2)(b) of the Ontario Energy Board Act, 1998 S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an application by Midland Power Utility Corporation for leave to transfer its distribution system to Newmarket-Tay Power Distribution Ltd. under section 86(1)(a) of the Ontario Energy Board Act, 1998 S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an application by Midland Power Utility Corporation for leave to transfer its rate order to Newmarket-Tay Power Distribution Ltd. under section 18(1) of the Ontario Energy Board Act, 1998 S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an application by Midland Power Utility Corporation to cancel its distribution licence pursuant to section 77(5) of the Ontario Energy Board Act, 1998 S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an application by Newmarket-Tay Power Distribution Ltd. for an order to amend Newmarket-Tay Power Distribution Ltd.'s licence pursuant to section 74 of the Ontario Energy Board Act, 1998 S.O. 1998, c. 15, (Schedule B).

**NOTICE OF INTERVENTION
OF THE
SCHOOL ENERGY COALITION**

1. The School Energy Coalition (“SEC”) applies for intervenor status in this proceeding.
2. SEC is a frequent intervenor in Board proceedings. Our current Annual Filing can be found on the Board’s website, here:

<http://www.rds.ontarioenergyboard.ca/webdrawer/webdrawer.dll/webdrawer/rec/462191/view/>

3. The School Energy Coalition intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this matter. SEC has participated in many past natural gas and electricity proceedings in Ontario, including consultations, rate cases, and other processes and hearings, and has been found eligible to be paid its reasonably incurred costs in all of those proceedings.

Issues to be Addressed

4. SEC's intended participation will focus on the following issues:
 - a. The impact of the proposed purchase on the ratepayers of both utilities, in both the short and long term, including application of the "no harm" test;
 - b. The impact of the transaction and its terms on the electricity distribution sector, in light of the Board's objectives as set forth in the OEB Act;
 - c. The consistency of the proposed transactions, including proposed conditions and related activities, with the Board's policies and guidelines, including recent decisions of the Board in similar cases; and
 - d. Generally to represent the interests of school boards and their students in this process.

The Intervenor's Intended Participation

5. SEC intends to participate in any pre-hearing procedures, including interrogatories or technical conferences, and settlement conferences. SEC also intends to participate in any oral hearing of this matter, and in written or oral submissions, as well as any other parts of the process that the Board should order.

Nature of Hearing Requested

6. Until interrogatories have been answered, we believe it is premature to assess whether a written or an oral hearing is more appropriate in this proceeding.

Counsel/Representative

7. SEC requests that a copy of all documents filed with the Board by each party to this proceeding be served on the intervenor, and on the intervenor's counsel, as follows:

- a. School Energy Coalition: (electronic copies only)

ONTARIO EDUCATION SERVICES CORPORATION
c/o Ontario Public School Boards Association
439 University Avenue, 18th Floor
Toronto, ON
M5G 1Y8

Attn: Wayne McNally, SEC Coordinator
Phone: 416 340-2540
Fax: 416 340-7571
Email: wmcnally@opsba.org

- b. SEC's counsel: (both electronic and paper copies)

SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION
2200 Yonge Street, Suite 1302
Toronto, Ontario, M4S 2C6

Attn: Jay Shepherd
Phone: 416-804-2767
Fax: 416-483-3305
Email: jay@shepherdrubenstein.com

with an electronic copy to:

Attn: Mark Rubenstein
Phone: 647-483-0113
Email: mark@shepherdrubenstein.com

Respectfully submitted on behalf of the School Energy Coalition this September 28, 2017.

Jay Shepherd
Counsel for the School Energy Coalition