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October 23, 2017

Delivered by Email, RESS & Courier

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

Dear Ms. Walli:

**Re: Application by Enbridge Gas Distribution Inc. for an Order or Orders approving or fixing rates for the sale, distribution, transmission and storage of gas commencing January 1, 2018
Board File No. EB-2017-0086**

We are counsel to the Association of Power Producers of Ontario (“APPrO”) in the above-captioned matter. Please find attached APPrO’s Notice of Intervention in this proceeding. Paper copies of this letter and the accompanying Notice will be delivered to you by courier.

Should you have any questions or require further information in this regard, please do not hesitate to contact me.

Yours very truly,

BORDEN LADNER GERVAIS LLP

Per:

Original signed by John A.D. Vellone

John A.D. Vellone

cc: David Butters, APPrO
John Wolnik, Elenchus
Andrew Mandyam, Enbridge Gas Distribution Inc.
David Stevens, Aird & Berlis LLP

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Sched. B, as amended;

AND IN THE MATTER OF an Application by Enbridge Gas Distribution Inc. for an Order or Orders approving or fixing rates for the sale, distribution, transmission and storage of gas commencing January 1, 2018.

**NOTICE OF INTERVENTION OF THE
ASSOCIATION OF POWER PRODUCERS OF ONTARIO (“APPrO”)**

October 23, 2017

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AND

**Elenchus Research Associates
Inc.**
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INTRODUCTION:

1. Enbridge Gas Distribution Inc. (“Enbridge”) has filed an application with the Ontario Energy Board (the “Board”) under section 36 of the *Ontario Energy Board Act, 1998*, as amended, for an Order or Orders approving or fixing rates for the sale, distribution, transmission and storage of gas commencing January 1, 2018 (the “Application”).
2. Within the Decision with Reasons in the EB-2012-0459 proceeding, the Board had established a Custom IR framework to set Enbridge’s rates over the period of 2014-2018. This Decision included, *inter alia*, the approval of placeholder Allowed Revenue amounts for 2015 to 2018 which were subject to adjustment each year to update certain elements of Allowed Revenue. The Board approved a revised depreciation methodology for Enbridge, the Constant Dollar Net Salvage approach and the approved the refund to customers of \$379.8 million of previously collected site restoration cost (“SRC”) amounts, to be credited to customers through Rider D over the Custom IR term. The Board established the Constant Dollar Net Salvage Adjustment Deferral Account (“CDNSADA”) to track on an annual basis the actual Rider D credits to ratepayers versus the approved amount.
3. Through this Application Enbridge is seeking approval for the following, as described in its Application: Interim or final rates for the year commencing January 1, 2018, including all adjustments resulting from the application of Enbridge’s Board-approved Custom IR framework; the continuation of approved deferral and variance accounts for 2018; the discontinuation of Rider D as of January 1, 2018, the transfer of SRC refund tax deductibility from Allowed Revenue into the CDNSADA, to be cleared at the same time as Enbridge’s 2017 deferral and variance accounts; a method to establish rates for providing biogas producers with conditioning and injection services that these customers may request from Enbridge; Enbridge’s plan to implement a utility based geothermal energy program that will offset natural gas usage as a Greenhouse Gas emission abatement program in 2018; and the determination of all other issues that bear upon the Board’s approval or fixing of just and reasonable rates for the sale, distribution, transmission, and storage of gas by Enbridge for the year commencing January 1, 2018.

4. In its Letter of Direction dated October 18, 2017, the Board determined that it will review the 2018 rate adjustment request separately from the cap and-trade related proposals in the Application. Enbridge was instructed to remove the cap-and-trade related proposals (i.e. the Geothermal Energy Service Program and the Renewable Natural Gas Enabling Program) from the Application and file those proposals on a standalone basis under OEB File No. EB-2017-0319. It is our understanding that matters related to the cap-and-trade proposals are outside of the scope of the current Application and that the Board will provide further direction with respect to the standalone proceeding after the Decision and Rate Order has been issued in Enbridge's 2018 rate adjustment proceeding.
5. APPrO hereby requests intervenor status in this proceeding.
6. APPrO previously intervened in Enbridge's application for a 2017 rate adjustment (EB-2016-0215) and in Enbridge's application for a 2016 rate adjustment (EB-2015-0114), filing interrogatories and participating in the settlement that was ultimately approved by the Board.

INTEREST OF THE INTERVENOR:

7. APPrO is a non-profit organization representing more than 100 companies involved in the generation of electricity in Ontario, including generators and suppliers of services, equipment and consulting services. APPrO members produce power from natural gas, as well as hydro, gas, coal, nuclear, wind, waste wood and other sources.
8. Among APPrO's members are gas-fired generators in Enbridge's franchise area. These generators take service from Enbridge primarily under Rate 125. All customers in the Rate 125 rate class are power generators and are not represented by any other consumer group. APPrO's members have a direct and significant interest in this proceeding.
9. The evidence filed by Enbridge indicates that Rate 125, the rate used by most generators in Enbridge franchise, is proposed to increase by 2.0%¹. This rate increase is more than most other rate classes. This increase is material and will have a detrimental impact on generators.

¹ Exhibit H1 Tab 1 Schedule 1 page 3

No other intervenor represents customers in Rate 125.

10. In addition, Enbridge is proposing to discontinue Rate Rider D, which, to date, has been providing a rate rider credit to Rate 125 customers over the Custom IR term.

SCOPE OF PARTICIPATION:

11. APPrO reserves the right to participate in all aspects of the proceeding. APPrO also reserves the right to present evidence as it may deem necessary.

APPrO's EXPERIENCE AS A FREQUENT INTERVENOR:

12. APPrO has a record of participating in Board proceedings as an intervenor. As required by Rule 22.03(b) of the Board's Rules of Practice and Procedure and Rule 3.03.1 of the Board's Practice Direction on Cost Awards, APPrO filed with the Board information on APPrO's mandate, objectives, membership, constituency, programs and activities and other relevant information within the previous 12 month period as part of EB-2017-0102, EB-2016-0296 / EB-2016-0300 / EB-2016-0330 and EB-2016-0215. This document has been updated and attached as Attachment 1 to this Notice of Intervention.

COSTS:

13. Pursuant to s. 3.06 of the Board's Practice Direction on Cost Awards, APPrO intends to seek an award of costs from Enbridge. In accordance with s. 3.03(a) of the Board's Practice Direction on Cost Awards, APPrO represents the direct interests of consumers in relation to Enbridge's regulated services (APPrO's members are the largest consumers of Enbridge's services).
14. APPrO has a record of participating in Board proceedings in a responsible and efficient manner and the Board determined that APPrO was eligible for cost awards in other proceedings, including Union and Enbridge rates cases and several natural gas proceedings that had unique impacts on power generators (including, among others, NGEIR and storage allocation proceedings). APPrO believes it is appropriate for the Board to do so again in the context of this proceeding and in light of the potential impacts of the 2018 rate

adjustment on APPrO's members.

COUNSEL/REPRESENTATIVES

15. APPrO requests that the Board, Enbridge and all intervenors provide it and its counsel and consultant with copies of all written evidence and correspondence related to the proceeding, at the contact information below. APPrO asks that Enbridge deliver (i) a paper copy of its Application and all of its prefiled evidence to Elenchus Research Associates Inc. at the coordinates listed below; (ii) other than the Application and prefiled evidence, electronic versions of the remainder of the filings in this matter will be satisfactory for Elenchus Research Associates Inc. at this time; and (iii) electronic copies of its Application and all other evidence to Borden Ladner Gervais LLP and APPrO at the coordinates listed below.

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AND

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ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 23RD DAY OF OCTOBER, 2017

BORDEN LADNER GERVAIS LLP

Per:

Original signed by John A.D. Vellone

John A.D. Vellone
Counsel to APPrO

Attachment 1

The Association of Power Producers of Ontario

Description

The Association of Power Producers of Ontario ("APPrO") is a non-profit trade and professional organization representing more than 100 companies involved in the generation of electricity in Ontario, including generators and suppliers of services, equipment and consulting services. APPrO is the largest organization of its type in Canada. APPrO was established in 1986 as the Independent Power Producers' Society of Ontario and changed its name to APPrO in 2003.

Mandate and objectives

APPrO's principal objective is the achievement of an economically and environmentally sustainable electricity sector in Ontario that supports the business interests of electricity generators. APPrO's role in the electricity sector is to raise awareness and understanding of its members' concerns with senior decision-makers in government, regulatory bodies and the public at large.

Membership and representative constituency

APPrO currently has about 100 corporate members, who collectively produce more than 95% of the electricity made in Ontario. APPrO's members produce electricity from a range of sources, including natural gas, hydroelectricity, cogeneration, windpower, solar energy, biomass, biogas, nuclear energy and other sources. The total value of assets owned or operated by APPrO members is estimated at more than C\$50 billion, and the total annual sales of electricity by APPrO members exceeds C\$7 billion per year (wholesale value).

Programs and activities

APPrO acts as an advocate for its members. It aims to have a voice on regulatory and policy issues which affect generators in Ontario, including electricity market rules, power procurement processes, the regulation of the natural gas market (both provincially and federally), climate change rules and compliance mechanisms, approval requirements, transmission development, distributed generation, and a number of other issues. APPrO is a leading advocate for public policies and regulatory treatments that it believes will facilitate the development of power generation in the province and assist in the development of a more open and competitive market for power.

APPrO also organizes industry conferences and produces a number of publications. APPrO's magazine, IPPSO FACTO, is an authoritative periodical on the electricity business and policy issues in Canada.

APPrO's authorized representative in OEB proceedings

APPrO's principal authorized representative in proceedings before the Ontario Energy Board (the "Board") is Elenchus Research Associates Inc. ("Elenchus"), represented by John Wolnik. Borden Ladner Gervais LLP ("BLG"), represented by John A.D. Vellone and Jessica-Ann Buchta with support from other BLG associates, will provide support to APPrO and Elenchus for this proceeding EB-2017-0086. Elenchus and BLG's representation of APPrO in proceedings before the Board is pursuant to written retainer agreements.

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