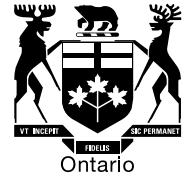


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**BY E-MAIL**

November 20, 2018

Paul B. Sommerville  
Executive Director, Mowat Energy  
Mowat Centre  
439 University Avenue, Suite 2200,  
Toronto ON M5G 1Y8

Dear Mr. Sommerville:

**Re: Mowat Centre's request for intervenor status and cost eligibility  
Toronto Hydro-Electric System Limited  
2020-2024 Distribution Rates Application  
OEB File No. EB-2018-0165**

This is in response to Mowat Centre's (Mowat) request for intervenor status and cost eligibility in Toronto Hydro-Electric System Limited's (Toronto Hydro) rates proceeding.

For the reasons that follow, Mowat's request for intervenor status is denied.

In its notice of intervention and letters, Mowat describes its interest in this proceeding as "[the] consideration of a wide variety of significant policy components, including the orderly and economic integration into its system of new Distributed Energy Resources, the possible creation of new customer classes, and possible inter- class rates issues."

Mowat states it is focused on the public interest and that its participation will "ensure that the policy implications of the proceeding are fully and fairly represented in its consideration. Mowat, as a research hub focused on such issues is, we believe, uniquely equipped to provide a relevant, expert and credible perspective."

Mowat further states, "[w]e believe that the participation of Mowat as an intervenor will materially assist the Board in its consideration of the many and varied policy elements of the application."

Toronto Hydro objected to Mowat's request noting that the OEB's reasons for denying Mowat intervenor status in the recent Hydro One Networks Inc. (Hydro One) rate application<sup>1</sup> also apply to this case. The OEB denied Mowat intervenor status in that case because it was concerned that the issues Mowat wanted to pursue were not suited for a rates proceeding, were not sufficiently detailed and some of the issues that were of interest to Mowat were already being canvassed by OEB staff and other intervenors.<sup>2</sup>

In response, Mowat stated that it does not agree with the OEB's decision in the Hydro One application. Mowat stated that in this proceeding "[it] is not proposing to engage in the subject case as a research organ, but rather as an organization that has engaged in highly focused analysis on subjects that are directly relevant to the Toronto Hydro Application."

The OEB is not satisfied that Mowat has a "substantial interest" in the proceeding, within the meaning of Rule 22.02 of the OEB's *Rules of Practice and Procedure*. Although, Mowat states that it does not wish to participate in this proceeding as a research organ, the OEB's concerns with Mowat's intervention request, as stated in the Hydro One application, largely remain. Given the OEB's previously stated concerns, it would have assisted the OEB if Mowat had provided the specific issues or a better description of the issues it wishes to pursue and explained how its issues will assist the OEB in deciding this application. Mowat's interest in exploring emerging issues related to a "wide variety of significant policy components" appear more suited to a policy consultation as opposed to a rates hearing. Further, Mowat's broad area of interest does not allow the OEB to make a determination on the relevance of Mowat's issues or whether Mowat's contribution will be of assistance to the OEB. With respect to issues related to distributed energy resources, the OEB is of the view that OEB staff and intervenors will effectively canvass these issues.

Yours truly,

*Original signed by*

Rudra Mukherji  
Acting Registrar  
Office of the Registrar

c: Andrew Sasso, Toronto Hydro  
Crawford Smith, Torys LLP  
All parties in EB-2018-0165

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<sup>1</sup> EB-2017-0049.

<sup>2</sup> EB-2017-0049, Procedural Order No.1.