

# *Aiken & Associates*

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December 10, 2018

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

Dear Ms. Walli,

**RE: EB-2018-0331 - London Property Management Association Notice of Intervention and Request for Cost Eligibility Determination – Applications for the Disposition of Cap & Trade-Related Deferral and Variance Accounts**

**Statement of Interest**

1. The London Property Management Association (“LPMA”) is a non-profit organization whose overall goal is to help property managers and those who own/operate residential income properties in the City of London and surrounding communities. The LPMA offers information and assistance to its members to help them deal with the legislation, rules and regulations that affect their business.
2. LPMA is made up of approximately 400 landlord members ranging from single unit owners to managers and owners of in excess of 2,000 units. The membership consists of a representative cross section of the rental property owners in the London area. In total, the LPMA members own or manage more than 35,000 rental units in the London area.
3. LPMA members receive regulated natural gas service from Union Gas Limited primarily under rates M1, M2 and M4. The membership of the LPMA wishes to intervene in this proceeding because the issues, methodologies and impacts raised in the application associated with the disposition of cap and trade-related deferral and variance accounts for the period 2016 through 2018 may result in changes to regulated rates and/or costs. The views and concerns of these businesses should be considered in this proceeding.
4. LPMA intends to actively participate in this proceeding for the purpose of ensuring the record in this proceeding is complete and to make submissions on the issues which are raised in the application, including the appropriate balances in the deferral and variance accounts, their allocation to the various rate classes, the calculation and sharing of earnings sharing amounts, the appropriateness of the new account being requested and any other issues that may be raised in the application or arise throughout the process.

**Intervention**

5. LPMA hereby gives notice of its intention to intervene in, and appear at, all phases of the public hearing.
6. LPMA reserves the right to be heard, to appear by or with counsel and/or consultant, to ask interrogatories and to cross-examine on all matters raised during the proceeding that may relate to its interests, to adduce evidence on specific matters of its choice related to the Applications, and to present argument.

7. LPMA hereby requests that the Board, Union Gas, and all other parties provide it with copies of all evidence and correspondence related to the Application and the Hearing.

### **Cost Eligibility**

8. LPMA intends to seek an award of costs and is requesting that the Board determine that it is eligible for an award of costs.

9. As indicated above, the LPMA is comprised of small and mid sized commercial customers of Union Gas that take regulated services from Union. Its members have a substantial interest in these proceedings, including all issues that affect rates and services available to them.

10. LPMA submits that it is eligible to apply for a cost award based on section 3.03 (a) of the Practice Direction on Cost Awards, revised April 24, 2014. In particular, LPMA "primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services".

11. The Board has found the LPMA to be eligible for cost awards in numerous natural gas and electricity proceedings before the Board. As indicated above, the LPMA is intervening on behalf of its members which are consumers (i.e. ratepayers) in relation to regulated services provided by Union Gas. As such, the LPMA submits that it is eligible for a cost award under Section 3.03.

12. LPMA has conformed with section 3.03.1 of the Practice Direction, as a party that frequently applies for intervenor status and cost award eligibility in Board proceedings. The information requested in section 3.03.1 was filed with the Board in June, 2018, which can be found on the Board's website, here:

<https://www.oeb.ca/industry/applications-oeb/intervenor-information/annual-filings-frequent-intervenors>

### **Communications**

13. All communications related to this Notice of Intervention and to this proceeding should be directed to:

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Yours very truly,

*Randy Aiken*

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c.c. Mark Kitchen (Union Gas)