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March 25, 2019

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

**Re: Utility Remuneration and Responding to Distributed Energy Resources
Board File Numbers: EB-2018-0287 and EB-2018-0288**

Dear Ms Walli,

Further to the Board letter dated March 15, 2019 and the Board's *Practice Direction on Cost Awards*, we are writing to request intervenor status and cost award eligibility in relation to the latest phase of the above-mentioned consultation initiative. We believe the utility remuneration principles and plans for responding to Distributed Energy Resources considered during this consultation will have significant impacts for a wide range of customers who have business relationships with electricity distributors.

Representation and Experts

APPRO proposes to retain one or two experts to assist with preparation of comments on the staff scoping paper and other eligible activities as appropriate.

APPRO is therefore requesting cost eligibility for this proceeding. The Board found APPRO eligible for costs in a related proceeding, as recorded in its Decisions on cost eligibility in EB- 2015-0043 of March 20, 2019, and of July 16, 2015.

Practice Direction and other Funding

In accordance with Section 3 of the Board's *Practice Direction on Cost Awards*, APPrO believes that it is eligible for an award of costs as it represents potentially affected customers as well as a public interest relative to the Board's mandate (s.3.03(b)) and APPrO members are persons with interests that will be affected by the outcome of the process (2.3.03(c)). APPrO is an association that represents generation and technology providers, who are often customers of distribution and/or applicants in other related proceedings. As a result, APPrO submits that special circumstances exist to find that it is eligible for a cost award in this process despite the fact that certain of its members may fall within s.3.05(b) of the Practice Direction.

APPrO is a non-profit organization representing electricity generators in Ontario. APPrO members produce a large percentage of the power generated in Ontario from facilities of many types including gas-fired, hydro-electric, nuclear, solar and wind energy. APPrO members are customers of transmission and distribution utilities in Ontario, and many have current distribution connection applications in development or underway. APPrO members often experience challenges associated with building and operating distribution connections, challenges which can in many cases be helped or hindered as a result of the business models adopted by distributors in response to the prevailing rate design solutions.

Significant change is underway in the commercially-available technologies for generating, distributing, storing and managing power at the distribution level. As the Board has noted, there will likely be new business opportunities for distributors and their competitive affiliates to provide value-added services to customers, as well as to achieve operational savings for themselves and other market participants. It would be premature to speculate on the specific technologies and business models that will become attractive to customers, but they will likely combine innovations in distribution, efficiency, generation, storage and smart grid technology. In order to implement the full range of innovative solutions with economic value, distributors and their affiliates will almost certainly choose to collaborate or partner with other kinds of market participants. Certain types of remuneration models and DER response plans will facilitate such initiatives while other features may inhibit them or put developers of generation at cross-purposes with distributors' regulated wires companies. For these reasons the approach taken to Utility Remuneration and DER response planning could have a significant impact on APPrO members' generation companies and generation facilities, both those in operation and those under development.

APPrO and its members therefore have a significant interest in this consultation initiative.

APPrO will take steps to co-ordinate with other supplier organizations and limit its participation to issues of material concern to suppliers.

APPrO submits that it should be eligible for costs on the following grounds:

- (a) APPrO Represents a Class of Consumers in this Proceeding: New charges that may result from this proceeding could have material impact on the business conditions

faced by suppliers. Therefore, notwithstanding s. 3.05 of the Practice Direction, special circumstances exist that would warrant an award of costs pursuant to section 3.07 of the Practice Direction.

(b) It is in the Public Interest to Facilitate Supplier Participation: APPrO's members are building and planning new projects in response to evolving technologies and market conditions. Given that the issues in the present proceeding are to some extent supply-related, and likely to be of greatest concern to proponents of Distributed Energy Resources, the Board should facilitate the participation of suppliers in order to provide the best evidentiary basis for its determination. Many of APPrO's members are too small to participate individually in a meaningful way in this proceeding. APPrO's participation facilitates the involvement of such members, and ensures that the Board has before it a comprehensive representation in this proceeding from the power generator community.

(c) APPrO's Participation Contributes to Hearing Efficiency: APPrO's representation of its members in such a proceeding would be a much more effective and efficient regulatory approach than having each of its members make their own interventions, with attendant duplication and extra costs. APPrO has participated similarly in earlier phases of this proceeding and in numerous other electricity hearings (e.g. Transmission Project Development Planning, transmission and distribution cost responsibility proceedings, RRFE, etc.) and in natural gas proceedings (e.g., NGEIR, storage allocation, Enbridge and Union IRM proceedings).

(d) Full and informed APPrO Participation Requires Intervenor Funding: APPrO, like other trade associations such as the Association of Major Power Consumers in Ontario ("AMPCO") does not have independent funding sufficient to support efficient and effective participation in the proceedings and it would not be able to do so absent same.

APPrO does not currently have access to other funds allocated for this purpose to enable its participation in this initiative.

The above is not an exhaustive list of APPrO's interests in this proceeding. There may be other issues of concern to APPrO that arise or develop during the proceeding. APPrO seeks at all times to retain and reflect the perspective of the generation industry as a whole, and to present a balanced view of policy issues affecting the electricity industry and the public at large in Ontario.

On the basis of the foregoing, APPrO respectfully requests that the Board approve its request to participate in this consultation, to prepare comments on the topics of Utility Remuneration and Responding to Distributed Energy Resources, the related scoping paper, and the related cost eligibility.

APPrO will consult with other organizations with similar purposes, and seek to co-ordinate the various parties' input to the Board to the extent possible given the diversity of perspectives.

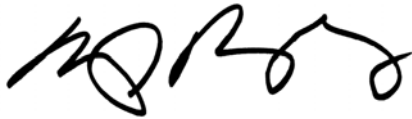
Although other experts may be retained as the process unfolds, the following two names are likely to be used by APPrO and possibly other organizations active in the same consultation process:

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I would be happy to discuss the Board's plans for this consultation and work with staff to uncover opportunities to ensure that APPrO's input is more effectively focused on the needs of the Board's process.

Sincerely,

A handwritten signature in black ink, appearing to read 'JB', with a stylized flourish at the end.

Jake Brooks
Executive Director

cc: Rachel Anderson
Lenore Robson
Dave Butters