



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

BY E-MAIL
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August 12, 2019

Lisa (Elisabeth) DeMarco
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DEMARCO ALLAN LLP
Bay Adelaide Centre
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Dear Ms. DeMarco:

**Re: Request for intervenor status
Alectra Utilities Corporation - Application for 2020 Rates
Ontario Energy Board File Number: EB-2019-0018**

This is in response to Distributed Resource Coalition's (DRC) request for intervenor status and cost eligibility in Alectra Utilities Corporation's (Alectra Utilities) above-noted rate application. DRC is approved as an intervenor and is eligible to apply for cost awards pursuant to the OEB's *Practice Direction on Cost Awards* (Practice Direction).

On June 18, 2019, the OEB issued its Notice of hearing in the subject application. By letter dated July 3, 2019, DRC applied for intervenor status and cost award eligibility. By letter dated July 3, 2019, Alectra Utilities objected to DRC's request for intervenor status and cost award eligibility. On July 5, 2019, DRC advised OEB staff that it had requested information on Electric Vehicle (EV) ownership from the Ontario Ministry of Transportation (Ministry) and that it would be filing a reply to Alectra Utilities' objection after it had received the requested information. On July 8, 2019, the OEB issued Procedural Order No. 1 and noted that it would make a decision on DRC's request after DRC had filed its reply to Alectra Utilities' objection, which DRC had indicated to OEB staff would be filed by July 12, 2019. On July 9, 2019 DRC advised OEB staff that it had still not received the requested information from the Ministry. On July 22, 2019, DRC advised OEB staff that it expected to file its reply later that day or within a few days. A similar update was provided on July 23, 2019. DRC's reply was filed on July 26, 2019. In order to allow Alectra Utilities an opportunity to respond to the information within

DRC's July 26, 2019 letter, the OEB made provision for further written submissions on the matter. Alectra Utilities' submission was received on August 2, 2019 and DRC's reply submission was received on August 7, 2019.

DRC states that its interest in this proceeding relates to integration of distributed energy resources (DER). DRC states that its participation would focus on the following issues: connection of DERs to the electricity grid, DERs as a reliability resource for Alectra Utilities, integration of DERs into local distribution system planning and related cost considerations, DER considerations for rate design and cost allocation.

Alectra Utilities objected to DRC's request noting that the OEB should deny DRC's request because DRC did not provide information on its membership and the extent to which its membership includes Alectra Utilities end-use customers or the specific areas of the application it wishes to examine. Alectra Utilities further noted that DRC's interest in cost allocation and rate design were outside the scope of a mechanistic incentive-rate setting application. With respect to DRC's policy interest, Alectra Utilities noted that with the introduction of Bill 87, Alectra Utilities expects to play a significantly reduced role in conservation and demand management initiatives.

In response, DRC provided additional information on its membership, which is comprised the Electric Vehicle Society (EVS) and Plug 'n Drive. DRC further noted that Alectra Utilities' evidence in this application and Ministry data indicates that one third (or approximately 10,000) of all EV owners in Canada are located in Alectra Utilities' service territory. DRC also noted that Alectra Utilities' evidence and Ministry data indicates that EV adoption is increasing at an exponential rate. DRC also noted that Alectra Utilities' evidence in support of the proposed M-factor looks to EV growth to potentially reduce peak load (and customer costs) and identified specific areas on the evidence that pertain to DER integration. DRC stated that if it is excluded from participation, substantial portions of Alectra Utilities' evidence will be untested by the customer groups directly affected by the application.

As part of its submissions on DRC's July 26th letter, Alectra Utilities reiterated its original concerns and noted that DRC directly represents approximately 300-400 EV owners who are also Alectra Utilities customers. With respect to the interests of EV owners who are customers of Alectra Utilities but not EVS members, Alectra Utilities noted that their interests are well represented by other intervenors in this proceeding. In response, DRC submitted that EV customer needs and preferences are distinct from general customer interests and may result in different approaches to short term capital investments that result in long term savings for all customers. DRC also noted that there is no other

intervenor group that directly represents the interests of its members or the matters of interest to DRC.

Given that DRC represents the specific interests of a sizable amount of EV owners who are customers of Alectra Utilities and whose interests may not otherwise be represented, the OEB is satisfied that DRC has a “substantial interest” in this proceeding within the meaning of Rule 22.02 of the OEB’s *Rules of Practice and Procedure*. Subject to the conditions set out below, DRC is approved as an intervenor and is eligible to apply for an award of costs under the Practice Direction:

- DRC’s intervention and eligibility to apply for cost awards is restricted to matters related to the integration of DERs as set out in paragraph 3 of its notice of intervention and to the extent that the matters are within the scope of the OEB’s review of Alectra Utilities’ application.
- DRC shall accept the record of the proceeding as it stands as of the date of this letter.

DRC should not engage in detailed exploration of items that do not appear to be material. In making its decision on cost awards, the OEB will consider whether DRC made reasonable efforts to ensure that its participation in the hearing was focused on material issues and consistent with the scope of its intervention. Further, DRC should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed.

As a matter of clarification, Schedule A to Procedural Order No. 1, provides the list of approved intervenors in the proceeding. DRC was excluded from Schedule A because the OEB had not yet made a decision on DRC’s intervention. An updated list of intervenors is attached to this letter.

Yours truly,

Original signed by

Christine E. Long
Registrar
Office of the Registrar

c: All parties in EB-2019-0018

SCHEDULE A
LIST OF APPLICANT AND INTERVENORS
ALECTRA UTILITIES CORPORATION
EB-2019-0018
DATED: August 12, 2019

**Alectra Utilities Corporation
EB-2019-0018**

APPLICANT & LIST OF INTERVENORS

August 12, 2019

APPLICANT

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**Alectra Utilities Corporation
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APPLICANT & LIST OF INTERVENORS

August 12, 2019

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**Alectra Utilities Corporation
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APPLICANT & LIST OF INTERVENORS

August 12, 2019

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(Updated August 12, 2019)

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**Alectra Utilities Corporation
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APPLICANT & LIST OF INTERVENORS

August 12, 2019

**Distributed Resource
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**Alectra Utilities Corporation
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APPLICANT & LIST OF INTERVENORS

August 12, 2019

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(Updated July 23, 2019)

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**Alectra Utilities Corporation
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APPLICANT & LIST OF INTERVENORS

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**Alectra Utilities Corporation
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APPLICANT & LIST OF INTERVENORS

August 12, 2019

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**Alectra Utilities Corporation
EB-2019-0018**

APPLICANT & LIST OF INTERVENORS

August 12, 2019

**Vulnerable Energy
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