



BY EMAIL and RESS

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Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

September 13, 2019
Our File: EB20190022

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2019-0022 – BPI 2020 IRM/ICM – Notice of Intervention and Request to Consolidate

We are counsel to the School Energy Coalition ("SEC"). Attached, please find a copy of SEC's Notice of Intervention in the 2020 IRM/ICM application of Branford Power Inc. ("BPI").

SEC requests that pursuant to section 21(5) of the *Ontario Energy Board Act*, the Board consolidate the Incremental Capital Module ("ICM") portion of this application with that of the ICM portion of the application brought by Energy+ in EB-2019-0031.

BPI's ICM request is for funding for a new administration and operations facility.¹ BPI proposes to share the facility with Energy+, who themselves have brought as part of their 2020 IRM application, an ICM request for funding for their share of the same building.² SEC submits that for reasons of both regulatory efficiency, and ensuring that there are no conflicting decisions regarding the same physical facility, that the ICM requests of both BPI and Energy+ be consolidated so they can be heard together.

While Notice has yet to be issued with respect to the Energy+ application, SEC notes that Energy+ correctly points out in its application, that as part of the approved settlement proposal in its 2019 cost of service application, it agreed to withdraw its ACM request for its share of the proposed facility and to bring forward an ICM application in the same year as BPI. In doing so it "would be more efficient for the Board to consider the proposed facility at one time and to reduce the possibility of inconsistent decisions".³

Yours very truly,
Shepherd Rubenstein P.C.

Original signed by

Mark Rubenstein

¹ Pre-filed Evidence, p.24

² *Ibid*; EB-2019-0031, Energy+ 2020 IRM Application, p.29

³ *Ibid*, p.29



Shepherd Rubenstein

cc: Wayne McNally, SEC (by email)
Applicant and interested parties (by email)
Energy+ (by email)

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF an Application by Brantford Power,
Inc. to the Ontario Energy Board for an Order or Orders approving
or fixing just and reasonable distribution rates and other service
charges, to be effective January 1, 2020.

NOTICE OF INTERVENTION

OF THE

SCHOOL ENERGY COALITION

1. The School Energy Coalition (“SEC”) applies for intervenor status in this proceeding.
2. SEC is a frequent intervenor in Board proceedings. Our current Annual Filing can be found on the Board’s website, here:

<http://www.rds.oeb.ca/HPECMWebDrawer/Record/589545/File/document>
3. The School Energy Coalition intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this matter. SEC has participated in many past natural gas and electricity proceedings in Ontario, including consultations, rate cases, and other processes and hearings, and has been found eligible to be paid its reasonably incurred costs in all of those proceedings.

Issues to be Addressed

4. SEC’s intended participation will focus on the following:
 - a. The proposed Incremental Capital Module request; and
 - b. Generally to represent the interests of school boards and their students in this process.

The Intervenor's Intended Participation

5. SEC intends to participate in any pre-hearing procedures, including interrogatories or technical conferences, and settlement conferences. SEC also intends to participate in any oral hearing of this matter, and in written or oral submissions, as well as any other parts of the process that the Board should order.

Nature of Hearing Requested

6. Until interrogatories have been answered, we believe it is premature to assess whether a written or an oral hearing is more appropriate in this proceeding.

Counsel/Representative

7. SEC requests that a copy of all documents filed with the Board by each party to this proceeding be served on the intervenor, and on the intervenor's counsel, as follows:

- a. School Energy Coalition: (electronic copies only)

ONTARIO EDUCATION SERVICES CORPORATION
c/o Ontario Public School Boards Association
439 University Avenue, 18th Floor
Toronto, ON
M5G 1Y8

Attn: Wayne McNally, SEC Coordinator
Phone: 416-340-2540
Fax: 416-340-7571
Email: wayne.mcnally@oesc-cseo.org

- b. SEC's counsel: (**electronic copies only**)

SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION
2200 Yonge Street, Suite 1302
Toronto, Ontario, M4S 2C6

Attn: Mark Rubenstein
Phone: 647-483-0113
Fax: 416-483-3305
Email: mark@shepherdrubenstein.com

with an electronic copy to:

Attn: Jay Shepherd
Phone: 416-804-2767
Email: jay@shepherdrubenstein.com

Respectfully submitted on behalf of the School Energy Coalition this September 13, 2019.

Original signed by

Mark Rubenstein
Counsel for the School Energy Coalition