



PUBLIC INTEREST ADVOCACY CENTRE  
LE CENTRE POUR LA DÉFENSE DE L'INTÉRÊT PUBLIC

October 11, 2019

VIA E-MAIL

Board Secretary  
Ontario Energy Board  
Toronto, ON

Dear Ms. Walli:

**Re: EB-2018-0329 – Corporation of the Marathon North Shore LNG Project  
Submissions in reply to Board's PO #1**

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Please find attached the submissions of VECC in the above-noted proceeding in relation to certain questions posed by the Board in Procedural Order #1. We have also directed a copy of the same to the Applicant.

Yours truly,

A handwritten signature in blue ink, appearing to be 'John Lawford', with a stylized flourish at the end.

John Lawford

Counsel for VECC

Email copy:

Daryl Skworchinski, Chief Administrative Officer, Town of Marathon [clerk@marathon.ca](mailto:clerk@marathon.ca)  
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**Corporation of the Marathon North Shore LNG Project  
EB-2018-0329**

Submission  
of the  
Vulnerable Energy Consumers Coalition  
(VECC)

October 11, 2019

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**John Lawford**  
**Vulnerable Energy Consumers Coalition**  
**Public Interest Advocacy Centre**  
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## Introduction and Issues

1. These submissions are made on behalf of VECC in relation to the Board's Procedural Order No. 1 (7 Oct. 2019) in which the Board requested certain information from VECC due to the objection of the Applicant to our proposed intervention in the proceeding.
2. In particular, the Board requested that VECC file "additional information in respect of the constituents it represents in the affected municipalities. Further, given the nature of this application, the OEB requires that VECC file additional information outlining its specific interest in this proceeding".
3. As the Board is aware, the Vulnerable Energy Consumers Coalition (VECC) is an unincorporated coalition of two major Ontario organizations, the Ontario Society of Senior Citizens' Organizations (OSSCO) and the Federation of Metro Tenants' Associations (FMTA), facilitated by the assistance of a national non-profit corporation and registered charity, the Public Interest Advocacy Centre (PIAC).
4. VECC was formed in 1999 with the intent of representing the interests of residential consumers in matters of energy regulation and policy where those consumers, by reason of age, income, tenure or place of residence, language, literacy, or other infirmity may experience greater hardship than other residential consumers as a result of increased rates or policies that place demands on customers. These same consumers may have difficulty, or lack the resources to ensure that their voice is heard by regulators and policy makers deciding upon energy issues.
5. In the OEB, VECC tries to ensure just and reasonable rates for electricity and natural gas service as well as policies on issues such as bill arrears and disconnection that can keep customers on the energy networks despite difficult financial situations. VECC also works to ensure that energy conservation programs are available to all, so that bills may be effectively reduced. Most importantly, VECC seeks to ensure that energy networks are planned in a way that serves the interests of Ontario and Canada in the most efficient way possible, and are not subservient to purely private interests.
6. VECC has intervened in hundreds of OEB hearings since the date of its formation in 1999, and shares in the credit for the efficacy of the intervenor participation process in affecting decisions that have advanced the public interest and resulted in reductions in utility demands and just and reasonable rates.
7. We note that the Board has not, to our knowledge, previously requested that VECC and its coalition groups to identify actual members of either organization in any affected

municipality of Ontario. This sort of inquiry has the potential, if abused, of inhibiting public participation in the Board's intervenor process.

8. It is further our submission that neither the OEB's *Rules of Practice and Procedure* (which requires only, in Rule 22.02 that: "22.02 The person applying for intervenor status must satisfy the Board that he or she has a substantial interest and intends to participate actively and responsibly in the proceeding by submitting evidence, argument or interrogatories, or by cross-examining a witness.") nor its *Practice Direction on Cost Awards* (24 April 2014) requires evidence that a particular member or person associated with a rate or related application reside in the territory of the utility in question. In our view, having an organizational mandate to represent consumers in Ontario does constitute a substantial interest in most OEB rate and related applications.

## Constituents in Affected Municipalities

9. We note firstly that both VECC coalition members do assist members of the public from across Ontario even if they are not members of the organizations, in relation to matters of budgetary concern, including electricity and gas rates and charges.

10. Secondly, both organizations have a corporate mandate to pursue the best interests of Ontario seniors (OSSCO) and Ontario tenants (FMTA).

11. OSSCO is a provincially-incorporated non-profit corporation and registered charity:

"Founded in 1986, our mission is to improve the quality of life for Ontario's seniors through educational programs, research, public awareness, information, referral, counseling, community outreach and support, self-help and volunteer programs.

Our membership includes over 140 seniors' organizations and individuals representing 500,000 senior citizens from across Ontario. OSSCO is community-based. Our members include individual seniors – networks, alliances and groups – as well organizations representing seniors and who provide services and support to Ontario's diverse and multicultural seniors community."<sup>1</sup> [Emphasis added.]

12. As for FMTA (The Federation of Metropolitan-Toronto Tenants Associations), we can confirm that it is a GTA-based organization that has the bulk of its membership in Toronto, Canada. However, as the FMTA deals primarily the provincial tenants' rights, it also has many clients and members from around Ontario.

13. In particular, FMTA does have one member of the organization in Wawa, one in White River and ten in Thunder Bay, but none in the other municipalities specifically. As noted above, in

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<sup>1</sup> See, OSSCO website, online: <https://www.ossco.org/about-us/>

relation to the general public, we can confirm that FMTA has served hundreds of general public “clients” via its hotline from all of the affected municipalities.

14. . In VECC’s submission, this is an adequate interest for both organizations at both a client and member level, should the Board (which would be new) require such evidence of membership in the affected municipalities to demonstrate a direct interest to the organizations (which we believe is not a condition of intervenor participation).

### **Specific Interest in the Proceeding**

15. VECC repeats and relies upon its reasons for its interest in the proceeding stated in our original request to be an intervenor. We specifically are concerned, as we have been in other greenfield proposals, that new customers, once converted to natural gas heating, will be reliant upon their provider’s monopoly provider. While this always raises issues of just and reasonable rates, in this proposal the granting of a franchise and leave to construct for LNG supply raises the serious matter of security of supply. In northern Ontario communities, with often severely cold winters, this also can be a matter of safety.
16. In addition, we note that the Schools Energy Coalition (SEC) recently (10 October 2019) has filed a request to intervene. In that request, SEC described its specific interest:

This application also raises several unique issues, including the conditional nature of some of its requested approvals, and being the first of its kind as a greenfield utility supplied entirely by liquefied natural gas. In addition to the request for approvals for a franchise agreement, certificate of public convenience and necessity, and leave to construct, it also seeks certain rate-related relief. The Applicant is requesting pre-approval of a gas supply plan and also the cost consequences of a long-term contract to supply liquefied natural gas to each of the 5 municipalities. Those are approvals that the Board must make pursuant to its ratemaking authority, and potential customers have a significant interest in any such application.

17. VECC shares these exact concerns and submits that our clients’ interests in these matters are equivalent to those of SEC.

### **Conclusion**

18. VECC respectfully submits that it has demonstrated, on both requested issues, adequate evidence of direct interest in the Application, if such is required to ground our intervention request. We therefore ask that the Board grant VECC intervenor status with, as requested as well, costs eligibility.

**ALL OF WHICH IS RESPECTFULLY SUBMITTED**