

October 22, 2019

SENT VIA E-MAIL AND RESS FILING

Ms. Christine E. Long
Registrar and Board Secretary
Office of the Registrar
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Dear Ms. Long:

**RE: Corporation of the Town of Marathon;
Application for North Shore LNG Project;
Ontario Energy Board File Number: EB-2018-0329**

We write on behalf of the Corporation of the Town of Marathon (“**Marathon**”) in its own capacity and as the representative of the Township of Manitouwadge, Township of Schreiber, Township of Terrace Bay and the Municipality of Wawa (together, the “**Applicants**”) in connection with a Notice of Intervention dated October 10, 2019 from School Energy Coalition (“**SEC Intervention**”).

SEC states that it has a substantial interest in the application as it represents the interests of its member school boards and schools. SEC also requests that it be found eligible to recover its reasonably incurred costs in this proceeding. Marathon objects to SEC’s requests for two reasons.

First, with respect to SEC’s constituency, Marathon has communicated, in writing, with each of the seven (7) boards that represent public and Catholic schools and students in the Applicants’ five communities. Four of the school boards have responded, either in writing or by telephone, to the effect that they had been contacted by SEC and had advised SEC that they had no interest in this proceeding. Moreover, the largest school board, Superior-Greenstone District School Board, confirmed with the Mayors of Marathon and Schreiber, that it was not seeking to be represented in this proceeding. Marathon has not received responses from Conseil scolaire public du Grand Nord (l’Escalade), Huron-Superior Catholic District School Board (St. Joseph French Immersion) and Conseil scolaire catholique nouvelon (ESJ). These three school boards represent a few small French language schools out of the 22 schools in the Applicants’ five municipalities.

The fact that SEC may have a general mandate to represent school boards and schools in proceedings before the OEB does not relieve it from the obligation to justify its participation in proceedings on a case-by-case basis, by describing the specific constituency it represents and its interests in the proceeding. This is especially important in light of the fact that the applicant ... in this case, a group of northern Ontario municipalities representing disadvantaged energy consumers ... bears the burden of paying the costs of SEC’s interventions in Board proceedings.

Second, with respect to the matters that SEC seeks to address in this proceeding, SEC makes two main points: the unique issues raised by the Application and the need to ensure that schools have the opportunity to “access a range of energy services” (see paragraphs 4(b) and 4(a) of the SEC Intervention, respectively). Marathon does not agree that issues raised by the Application are particularly unique. At its core, the Application requests “leave to construct” and related approvals for a relatively small distribution system that will supply natural gas to customers in five northern Ontario communities. The fact that it is a new distribution system or that some approvals may be issued conditionally is neither unique nor unprecedented. Moreover, SEC has not explained why the alleged “uniqueness” justifies SEC’s participation in a proceeding.

In paragraph 4(a) of its Notice of Intervention, SEC states that its participation will focus on “[E]nsuring school [sic] have the opportunity to access to a range of energy sources on appropriate and reasonable terms”. Nothing in the Application will constrain the ability of schools and school boards in the five municipalities to access a “range of energy sources”. The Applicants (and their utility) will be required to comply with all applicable codes and regulations governing access to its system should any school seek such access. Moreover, the existence of natural gas service will not preclude any school from choosing to rely on other sources of energy, such as electricity or propane.

In conclusion, the Applicants submit that SEC’s request for status as an intervenor in this proceeding should be rejected for the reasons set out above.

Yours truly,

Dentons Canada LLP

original signed by Helen T. Newland

Helen T Newland

HTN/ko

Daryl Skworchinski
Corporation of the Town of Marathon

Stephanie Ash
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SEC

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