



Lisa (Elisabeth) DeMarco
Senior Partner
Bay Adelaide Centre
333 Bay Street, Suite 625
Toronto, ON M5H 2R2
TEL +1.647.991.1190
FAX +1.888.734.9459
lisa@demarcoallan.com

January 27, 2020

VIA RESS AND COURIER

Christine E. Long

Board Secretary
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms. Long:

Re: EB-2019-0271 – Enbridge Gas Inc. 2021 DSM Plan Application – Notice of Intervention

We are counsel to the Association of Power Producers of Ontario (**APPrO**). Please find enclosed APPrO's Notice of Intervention requesting intervenor status and cost eligibility in the above-noted proceeding.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'L' followed by a long, sweeping horizontal stroke that ends in an arrowhead.

Lisa (Elisabeth) DeMarco

c. David Butters, APPrO
Adam Stiers, Enbridge Gas Inc.
Dennis O'Leary, Aird & Berlis LLP

ONTARIO ENERGY BOARD

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

AND IN THE MATTER OF an Application by Enbridge Gas
Inc., for an order or orders pursuant to Section 36(1) of the
Ontario Energy Board Act, 1998, approving the 2021
Demand Side Management Plans.

EB-2019-0271

NOTICE OF INTERVENTION

ASSOCIATION OF POWER PRODUCERS OF ONTARIO (APPrO)

January 27, 2020

A. APPrO and its Interest in the Proceeding

1. APPrO is a non-profit organization representing more than 100 companies involved in the generation of electricity in Ontario, including generators, suppliers of services, and equipment, and consulting service providers. APPrO's members produce electricity from natural gas, hydro, nuclear, wind, biogas and other sources.
2. Enbridge Gas Inc. (the “**Applicant**”) has filed an application with the Ontario Energy Board (the “**Board**”) for an order or orders effective January 1, 2021 approving Enbridge’s 2021 DSM Plans (the “**2021 DSM Plans**”), including a DSM budget, scorecard targets, DSM incentive amounts and methodology, and such other approvals as are necessary. Enbridge also requests that the Board issue an extension of the current 2015-2020 DSM Framework for one year (effective January 1, 2021 to December 31, 2021).
3. APPrO's gas-fired generator members (“**GFGs**”) are large volume customers within the Applicant’s franchise areas. As customers, GFGs individually contract for significant quantities of natural gas services from the Applicant. The 2021 DSM Plans, which are the subject of this proceeding, stand to directly and materially affect the Applicant’s GFG customers through the utilities’ incentive payments and lost revenue adjustment mechanism charges. APPrO has been an active participant in the Board’s various DSM policy and rate proceedings of several years and has an ongoing interest in these matters.

B. APPrO's Experience as a Frequent Intervenor

4. APPrO has a record of responsibly participating in Board proceedings as an intervenor. A description of APPrO, its mandate and objectives, membership and representative constituency, and programs and activities are summarized in Attachment A.
5. APPrO is an active participant in the Post-2020 Natural Gas Demand Side Management Framework Consultation proceeding (EB-2019-0003) and participated in the Mid-Term Review of the DSM Framework for Natural Gas Distributors (EB-2017-0127 / EB-2017-0128), and Enbridge’s and Union Gas Limited's (**Union’s**) prior DSM Proceedings (EB-2015-0029 / EB-2015-0049).

C. Nature and Scope of APPrO's Intended Participation

6. APPrO intends to be an active participant in this proceeding and will act responsibly to coordinate with other intervenors where common issues may arise and be otherwise addressed. APPrO intends to participate to request information, participate in any requisite motions, test evidence through the stipulated processes, submit written interrogatories, if applicable, and provide submissions. Subject to the development of the record in this matter, APPrO may also submit evidence.

D. Costs

7. In accordance with s. 3.03(a) of the Board's Practice Direction on Cost Awards, APPrO is eligible to seek an award of costs, as APPrO is a party that primarily represents the direct interests of consumers in relation to services that are regulated by the Board.
8. The Board has deemed APPrO an intervenor eligible for costs in previous proceedings. These proceedings include, among others: the Post-2020 DSM Framework Consultation Proceeding (EB-2019-0003), 2018 Cap and Trade Compliance Plans (EB-2017-0224 / EB-2017-0255 / EB-2017-0275), Mid-Term Review of the DSM Framework for Natural Gas Distributors (EB-2017-0127 / EB-2017-0128), Union's Panhandle Reinforcement Proceeding (EB-2016-0186), Enbridge Gas Inc.'s 2014-2018 IRM Proceeding (EB-2013-0459), Union's 2014-2018 IRM Proceeding (EB-2013-0202) and Enbridge's and Union's DSM Proceedings (EB-2015-0029 / EB-2015-0049). APPrO submits that it is appropriate for the Board to award APPrO costs in the context of this proceeding as well.

E. APPrO's Representatives

9. If the Board grants APPrO intervenor status, APPrO requests that further communications with respect to this proceeding be sent to the following:

Association of Power Producers of Ontario

67 Yonge Street
Suite 1040
Toronto, ON M5E 1J8

Attention: David Butters, President
Telephone: 416-322-6549, x231
Facsimile: 416-481-5785
Email: david.butters@appro.org

AND TO ITS COUNSEL

DeMarco Allan LLP

Bay Adelaide Centre
333 Bay Street, Suite 625
Toronto, ON M5H 2R2

Attention: Elisabeth DeMarco
Telephone: 647-991-1190
Facsimile: 1-888-734-9459
Email: lisa@demarcoallan.com

Attention: Jonathan McGillivray
Tel: 1-888-389-5798
Facsimile: 1-888-734-9459
Email: jonathan@demarcoallan.com

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS
27th day of January, 2020



Lisa (Elisabeth) DeMarco
DeMarco Allan LLP
Counsel for APPrO

ATTACHMENT A

The Association of Power Producers of Ontario

Description

The Association of Power Producers of Ontario (“**APPrO**”) is a not-for-profit trade and professional organization which represents Ontario-based commercial electricity generators and suppliers of services, equipment and consulting services. APPrO is the largest organization of its type in Canada. APPrO was established in 1986 as the Independent Power Producers’ Society of Ontario and changed its name to APPrO in 2003.

Mandate and objectives

APPrO’s principal objective is the achievement of an economically and environmentally sustainable electricity sector in Ontario that supports the business interests of electricity generators. APPrO’s role in the electricity sector is to raise awareness and understanding of its members’ concerns with senior decision-makers in government, regulatory bodies and the public at large.

Membership and representative constituency

APPrO currently has about 100 corporate members, who collectively produce more than 95% of the electricity made in Ontario. APPrO’s members produce electricity from a range of sources, including natural gas, hydroelectricity, cogeneration, windpower, solar energy, biomass, biogas, nuclear energy, coal, and other sources. The total value of assets owned or operated by APPrO members is estimated at more than C\$50 billion, and the total annual sales of electricity by APPrO members exceeds C\$7 billion per year (wholesale value).

Programs and activities

APPrO acts as an advocate for its members. It aims to have a voice on regulatory and policy issues which affect generators in Ontario, including electricity market rules, power procurement processes, the regulation of the natural gas market (both provincially and federally), climate change rules and compliance mechanisms, approval requirements, transmission development, distributed generation, and a number of other issues. APPrO is a leading advocate for public policies and regulatory treatments that it believes will facilitate the development of power generation in the province and assist in the development of a more open and competitive market for power.

APPrO also organizes industry conferences and produces a number of publications. APPrO’s magazine, IPPSO FACTO, is an authoritative periodical on the electricity business and policy issues in Canada.

APPrO’s authorized representative in OEB proceedings

APPrO’s authorized representatives in proceedings before the Ontario Energy Board (the “**Board**”) include its counsel, DeMarco Allan LLP, represented by Elisabeth DeMarco, with support from associates.