



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

June 8, 2020

VIA E-MAIL

Christine E. Long  
Registrar and Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
Toronto, ON  
M4P 1E4

Dear Ms. Long:

**Re: Implementing the Process for Enabling Customers to Opt Out of  
Time-of-Use Pricing (EB-2020-0152)  
Consultation Process and TOU Consumer Choice Working Group –  
Vulnerable Energy Consumers Coalition (VECC) Participation**

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Please find attached Vulnerable Energy Consumers Coalition (VECC) Notice of Intention to participate in the above proceeding. As per the Board's letter of June 3, 2020, we have also included our request to be eligible for an award of costs and our request to have our representative (Mr. William Harper) to be part of the TOU Customer Choice Working Group.

Yours truly,

*John Lawford*

Counsel for VECC

**EB-2020-0152**  
**ONTARIO ENERGY BOARD**  
**IN THE MATTER OF THE CONSULTATION**  
**ON IMPLEMENTING THE PROCESS FOR**  
**ENABLING CUSTOMERS TO OPT OUT OF TIME-OF-USE PRICING**  
**NOTICE OF PARTICIPATION**  
**OF THE**  
**VULNERABLE ENERGY CONSUMERS COALITION**

**A. INTENT TO PARTICIPATE IN CONSULTATION PROCESS**

**IDENTITY OF THE INTERVENOR AND ITS MEMBERSHIP**

1. The Vulnerable Energy Consumers Coalition (VECC) hereby expresses its intention to participate in the above-mentioned proceeding. VECC consists of the following organizations:

(a) The Federation of Metro Tenants Association (FMTA)

(b) The Ontario Coalition of Senior Citizens' Organizations (OCSCO)

2. The Federation of the Metro Tenants Association (the "FMTA") is a non-profit corporation composed of over ninety-two affiliated tenants associations, individual tenants, housing organizations, and members of non-profit housing co-ops. In addition to encouraging the organization of tenants and the promotion of decent and affordable housing, the Federation provides general information, advice, and assistance to tenants.

The address is:

500-27 Carlton Street  
Toronto, ON  
M5B 1L2

3. The Ontario Coalition of Senior Citizens' Organizations ("OCSCO") is a coalition of over 160 senior groups as well as individual members across Ontario. OCSCO represents the concerns of over 500,000 senior citizens through its group and individual members. OCSCO's mission is to improve the quality of life for Ontario's seniors.

OCSCO's address is:

333 Wilson Avenue, Suite 406  
Toronto, ON  
M3H 1T2

4. The coalition of the FMTA and OCSCO under the name VECC has the specific mandate of intervening in proceedings to advocate on behalf of the interests of Ontario's vulnerable consumers with respect to energy issues, primarily through intervention in regulatory proceedings at the Ontario Energy Board.

5. Although the organization is not itself a member of VECC, the Public Interest Advocacy Centre (PIAC) in Ottawa assists in the representation of the interests of vulnerable consumers by ensuring the availability of competent representation and consultant support to the VECC participation.

6. VECC is a frequent intervenor in Board proceedings. Our annual information filing can be found on the Board's website at:

[http://ontarioenergyboard.ca/oeb\\_Documents/Intervenor\\_Filings/VECC\\_2014\\_annual\\_intervenor\\_filing20140605.pdf](http://ontarioenergyboard.ca/oeb_Documents/Intervenor_Filings/VECC_2014_annual_intervenor_filing20140605.pdf)

#### INDIVIDUALS AUTHORIZED TO REPRESENT VECC IN THIS PROCEEDING

7. The name & address of the agent authorized to receive documents on behalf of VECC in this consultation process is:

John Lawford  
Counsel, Regulatory and Public Policy  
Public Interest Advocacy Centre (PIAC)  
2-285 McLeod Street  
Ottawa, Ontario  
K2P 1A1  
613- 562-4002 ext. 25  
[jlawford@piac.ca](mailto:jlawford@piac.ca)

8. VECC requests that all correspondence and documentation also be electronically copied to:

Bill Harper (project consultant)  
107 Baker Ave  
Richmond Hill, Ontario  
L4C 1X5

[bharper.consultant@bell.net](mailto:bharper.consultant@bell.net)

## INTERESTS OF VECC AND GROUNDS FOR PARTICIPATION

9. VECC has been active in the protecting the interests of low income consumers for over 15 years. We have appeared to the Board in numerous applications by natural gas and electricity distributors, electricity transmitters and power producers. As such we have developed a wide gamut of experience and information about distribution utilities and their rates. VECC seeks to participate in this consultation in order to provide the Board with the benefit of that experience and to protect the interest of energy consumers, especially those suffering from fuel poverty.

10. VECC's constituents are amongst those who will have the choice to opt out of time-of-use pricing. In addition VECC expects that its constituents will face challenges in terms of becoming informed of their ability to "opt-out" and in making an informed decision as to whether or not to do so. VECC seeks to participate in order to ensure that consumer interests and in particular the interests of the low-income and vulnerable users of electricity are fully represented in establishing the rules and procedures for consumers opting out of TOU pricing.

## INTENTION TO SEEK COST AWARDS

11. VECC will be requesting an award of costs for its participation in this proceeding and believes that, as a coalition representing the direct interests of consumers, it meets the eligibility criteria set out in the Ontario Energy Board's Rules of Practice and Procedure (Section 41) and its' Practice Direction on Cost Awards (Section 3.03).

12. VECC's members do not have access to the direct funding required to retain appropriate legal and consulting support for its intervention in OEB proceedings. Accordingly VECC relies on PIAC to provide legal support and retain qualified consultants on the basis that PIAC can recover the related fees and disbursements from the Board based on the Board's Practice Direction on Cost Awards at the prevailing Cost Award Tariff.

## **B. REQUEST TO PARTICIPATE ON TOU CUSTOMER CHOICE WORKING GROUP**

13. As directed by the Board's letter of June 3, 2010, 2012, VECC is nominating Mr. William Harper to participate on the OEB's TOU Customer Choice Working Group. Should he be accepted on that Group, VECC also intends to seek cost recovery for his participation. Mr. Harper's contact information is provided above.

14. Mr. Harper has worked in the Ontario energy sector for over 40 years. For more than 15 years, Mr. Harper has assisted VECC in its participation in proceedings before the Board dealing with electricity distributor's rate applications and other matters. He has participated in past OEB Work Groups dealing with matters related to cost

allocation, rate design and financial assistance to customers. In addition, Mr. Harper has assisted clients representing residential customers in other jurisdictions (Quebec, Manitoba and British Columbia) on matters related to residential rates.

15. If chosen to participate on the Work Group, Mr. Harper would also draw on the expertise of Mr. John Lawford – Counsel for VECC, who has extensive experience in consumer protection in the fields of regulated telecommunications, privacy, air transportation and financial services, whose regulators have dealt with similar issues of billing, consent and opt-out mechanisms, such as those in the present consultation.

**DATED AT OTTAWA, JUNE 8, 2020**