

July 13, 2020

EMAIL

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

Dear Ms. Long

**Re: EB-2019-0166 – Lagasco Inc. Natural Gas Pipelines – Intervenor Request on behalf of
The Municipality of Chatham-Kent, the County of Elgin, Haldimand County, and
The County of Lambton**

The Municipality of Chatham-Kent, the County of Elgin, Haldimand County, and The County of Lambton (together, the “Proposed Intervenors”) have each received the Board’s Notice of the captioned application by Logasco Inc. for certain declarations regarding natural gas pipelines which it owns and operates, and their assessment for municipal property tax purposes under the *Assessment Act*, R.S.O. 1990, c. A-31 as amended.

The Proposed Intervenors are all municipalities established by the Province of Ontario that exercise statutory authority under the *Municipal Act*, S.O. 2001, c. 25 and other statutes, including the authority to impose municipal property taxes on taxpayers within their respective areas. Descriptions of the Proposed Intervenors, their areas and locations, constituents, governance and other information can be found on their respective websites at www.chatham-kent.ca, www.elgincounty.ca, www.haldimandcounty.ca, and www.lambtononline.ca.

Haldimand County is named as a respondent to the application, because the pipeline that is directly in issue is located within its area and is subject to the property taxes it imposes. In addition, however, the Notice specifically indicates that Lagasco Inc. takes the same position as is set out in its application for “similarly situated pipelines which it owns” in several other municipal areas, including pipelines within the areas of The Municipality of Chatham-Kent, the County of Elgin, and The County of Lambton. As such, all of the Proposed Intervenors have a direct interest in common in the matters to be determined by the Board in this application. They each wish to be participants in the application, and they have agreed to participate together and to be represented by the same legal counsel.

The Proposed Intervenors do not seek eligibility to recover the costs of their participation. They will participate in the English language.

They wish to participate actively and fully on all of the issues that may be raised as intervenors pursuant to Rule 22 of the Board's Rules of Practice and Procedure. They do not propose to place any issues before the Board panel for determination, other than those that are raised by the other participants, or that necessarily arise in response thereto. They do not believe that their participation will in any way add to the complexity or result in delay of the proceedings.

They request an electronic copy of any written evidence filed to date, other than Lagasco Inc's application, or a link(s) to the place(s) on the Board's website where such material is available. They wish to be provided with notice and electronic copies of all documents and steps in the application as they occur hereafter, including all evidence filed by any participant, all motions, submissions, procedural orders, and other documents exchanged among parties on the Board's service list, the Board panel, and Board staff in connection with the application. They seek the rights to file evidence and to make submissions before the Board panel, including the right to examine and cross-examine witnesses, to make submissions through counsel, and to attend by personal representatives if an oral hearing is held.

For the purposes of service and delivery of documents in the proceeding, the Proposed Intervenors have appointed the following legal counsel to act on their behalf, and to receive service of all documents herein:

Kathleen Poole
Nixon Poole Lackie LLP
2 Bloor Street West, Suite 1505, Toronto ON M4W 3E2
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and

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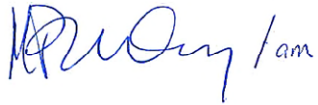
The Proposed Intervenors do not have a preference as to whether the application will be dealt with by the Board in a written hearing or an oral hearing, and will abide by the Board's determination in that regard.

This letter of intervention is respectfully submitted on behalf of the Proposed Intervenors named herein.

At the time of filing, there may be other municipalities that are similarly situated to the Proposed Intervenors who may wish to join this intervention. If the formal approval process to do so for any such similarly situated municipality extends beyond the July 13 deadline for intervention requests, then we will respectfully request the indulgence of the Board and the consent of all interested participants to a short extension for that purpose.

Should the Board require any further information in that regard, please contact the writer.

Yours truly,



M. Philip Tunley
Partner
MPT/am