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October 2, 2020

**VIA RESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4  
Attention: Registrar

Dear Ms. Long:

**Re: Niagara Peninsula Energy Inc.  
2021 Cost of Service Rates Application  
Board File No.: EB-2020-0040**

We are counsel to the Distributed Resource Coalition (**DRC**). Please find enclosed DRC's Notice of Intervention in the above-noted proceeding.

Sincerely,

A handwritten signature in black ink, reading "Jonathan McGillivray".

Jonathan McGillivray

- c. Scott Stoll, Counsel, Aird and Berlis LLP  
Paul Blythin, Niagara Peninsula Energy Inc.  
Wilf Steimle, Electric Vehicle Society  
Cara Clairman, Plug'n Drive

**ONTARIO ENERGY BOARD**

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

**AND IN THE MATTER OF** an Application by Niagara  
Peninsula Energy Inc. to the Ontario Energy Board for an  
Order or Orders pursuant to section 78 of the *Ontario  
Energy Board Act, 1998* for 2021 distribution rates and  
related matters

**EB-2020-0040**

**NOTICE OF INTERVENTION**

**OF**

**DISTRIBUTED RESOURCE COALITION**

**(DRC)**

**October 2, 2020**

**A. Application for Intervenor Status**

1. The Distributed Resource Coalition (**DRC**) hereby requests intervenor status in the matter of the application of Niagara Peninsula Energy Inc. (the **Applicant**) for various orders pursuant to section 78 of the Act as set out in the Applicant's application filed August 18, 2020 (the **Application**). This notice of intervention is filed pursuant to Rule 22 of the Board's *Rules of Practice and Procedure*.

**B. DRC and its Interest in the Proceeding**

**Distributed Resource Coalition**

2. DRC is a group of electricity customers and consumers that consists of end-use residential customers, non-profit organizations, and owners' associations that are directly affected by and interested in (i) optimizing existing energy assets, (ii) efficiently facilitating the integration of existing and innovative distributed energy resources (**DERs**), including EVs, to achieve customer and grid solutions, and (iii) providing input on direct customer needs and local distribution company opportunities relating to EVs. DRC hopes to further these interests for the benefit of each and all of end-use customers, the Applicant, DER providers, and the regulatory regime.
3. DRC members for this proceeding include, subject to further update, the Electric Vehicle Society (**EVS**) and Plug'n Drive (**PnD**). EVS represents over 1,000 end-use, largely residential, individual EV electricity customers, which all pay membership fees to have their needs and preferences related to EVs and related DERs represented on matters that directly substantially impact them. EVS has 12 local chapters of electricity rate paying customers in Ontario, including its Golden Horseshoe Chapter, which serves the Niagara region (among others). EVS is governed to ensure that individual rate payers are informed, consulted, and can independently raise their needs and preferences on matters of direct and substantial interest with the leaders of their local EVS chapters, and all such needs and preferences are communicated to and through the President of EVS. Those customer needs and preferences are aggregated and conveyed to jointly formulate DRC positions through the President of EVS through regular DRC teleconference meetings where decisions are recorded and confirmed. In this manner, DRC reflects the public interest in electrified transportation DER matters; it does not assume or suppose it. Further information on EVS,

its more than 1,000 individual residential rate paying members, and its programs and activities may be found on its website at [www.evsociety.ca](http://www.evsociety.ca).

4. PnD is the authoritative convener of current and future EV customers and acts to provide access to facts and information to electricity and EV customers on electricity and electric mobility issues and choices. PnD works with each and all of electricity/EV customers, vehicle manufacturers, governments, and utilities to ensure that all are afforded best available information in order to make fact-based plans and choices. PnD regularly surveys, and/or collects aggregated information from, the thousands of rate paying customers that come to it through its programs and activities, website ([www.plugndrive.ca](http://www.plugndrive.ca), through which further detailed information on its programs and activities may be found), and/or Discovery Centre with their questions, needs, and preferences related to electrified transportation DERs. Those customer needs and preferences are aggregated and conveyed to jointly formulate DRC positions through the President and CEO of PnD through regular DRC teleconference meetings where decisions are recorded and confirmed.

#### **DRC's Interest in the Proceeding**

5. DRC has a direct and substantial interest in the proceeding in that its members are directly affected by the rates, services, activities, and approaches being proposed in the Application. DRC anticipates significant integration of DERs, including EV-related DERs, into the Applicant's grid and customer base during the period covered by the Application. DRC therefore has a direct and substantial interest in the proceeding, including insofar as it addresses the integration and impact of DERs and EVs on local distribution system planning, stations, and distribution; rate design; load forecasting; fleet replacement/renewal parameters; and customer engagement.
6. The Applicant's pre-filed evidence indicates that "plans have been established to promote the development of infrastructure", to ensure the success of EVs charging infrastructure. [Exhibit 1, p. 368]. The Applicant notes that "[i]nvestment in [EV] infrastructure will also be a main component of climate change strategies" [Exhibit 1, p. 368]. The Applicant has undertaken pricing pilots, in part combined with smart technologies, including EVs, to enable customers to manage their electricity use [Exhibit 1, p. 312]. In addition, the following other elements of the Applicant's pre-filed evidence are likely to be among those specifically

impacted by DERs and EV-related DERs: rate design, load forecasting, fleet replacement/renewal parameters, and customer engagement.

7. DRC's intervention would focus on testing evidence and providing argument with respect to the following issues raised in the Application:
  - (a) the impact of EV chargers on the local distribution network;
  - (b) load forecasting;
  - (c) customer engagement;
  - (d) grid modernization;
  - (e) system-level EV and DER impact; and
  - (f) the Applicant's ongoing DER and EV initiatives, studies, projections, and distribution system plan investments.
8. DRC was an active, Board-approved intervenor in the recent Toronto Hydro custom incentive rate proceeding (EB-2018-0165), providing the Board with expert evidence on the impact of electrified mobility on the matters at issue in order to inform its decision-making and set just and reasonable rates for a five-year time period. DRC was also active in the Alectra Utilities' electricity distribution rate proceeding (EB-2019-0018), which included a 10-year distribution system plan. Further, DRC is an active participant in Oshawa Power and Utilities' cost of service rate proceeding (EB-2020-0048), Hydro Ottawa's custom incentive rate proceeding (EB-2019-0261) and the Board's ongoing Utility Remuneration and Responding to DERs consultation (EB-2018-0287 / EB-2018-0288).
9. DRC hopes to provide the Board with the currently absent, unique perspective of EV residential customers, as well as EV-related non-profit organizations, owners, and developers, each of which may be materially affected by the outcome of this proceeding.

**C. Nature and Scope of DRC's Intended Participation**

10. DRC 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. DRC otherwise intends to participate actively in order to test evidence in accordance with the stipulated processes and timelines and provide argument. It reserves the right to adduce evidence should the Board's procedures provide for same.

**D. Costs**

11. DRC is, in accordance with s. 3.03(a) of the Board's *Practice Direction on Cost Awards* (the **Practice Direction**), eligible to seek an award of costs as DRC is a party that primarily represents the direct interests of consumers (residential customers) in relation to services that are regulated by the Board. DRC is also eligible to seek an award of costs in accordance with s. 3.03(b) of the Practice Direction, as DRC represents organizations that have a policy interest in electricity conservation and demand management, implementation of a smart grid in Ontario, promotion of the use of electricity from renewable energy sources, each of which are components of the Board's mandate and relevant to the proceeding.
12. DRC therefore requests cost eligibility in this proceeding as its comments will serve an important and unique interest and policy perspective relevant to the Board's mandate, which has heretofore not been represented or heard.

**E. DRC's Representatives**

13. DRC hereby requests that further communications with respect to this proceeding be sent to the following:

**Electric Vehicle Society**

265 Crawford Street  
Orillia, ON L3V 1J9

Attention: Wilf Steimle  
Telephone: 905-841-8163  
Email: [Wilf.Steimle@EVSociety.ca](mailto:Wilf.Steimle@EVSociety.ca)

AND TO

**Plug'n Drive**

1126 Finch Avenue West, Unit 1  
North York, ON M3J 3J6

Attention: Cara Clairman  
Telephone: 647-717-6941  
Email: [cara@plugndrive.ca](mailto:cara@plugndrive.ca)

AND TO ITS COUNSEL

**DeMarco Allan LLP**

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

Attention: Lisa (Elisabeth) DeMarco  
Telephone: 647-991-1190  
Facsimile: 1-888-734-9459  
Email: [lisa@demarcoallan.com](mailto:lisa@demarcoallan.com)

Attention: Jonathan McGillivray  
Tel: 647-208-2677  
Facsimile: 1-888-734-9459  
Email: [jonathan@demarcoallan.com](mailto:jonathan@demarcoallan.com)

ALL OF WHICH IS RESPECTFULLY  
SUBMITTED THIS  
2<sup>nd</sup> day of October, 2020.



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Lisa (Elisabeth) DeMarco  
DeMarco Allan LLP  
Counsel for Distributed Resource Coalition