



PUBLIC INTEREST ADVOCACY CENTRE
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March 5, 2021

VIA E-MAIL

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

Dear Ms. Long:

**Re: EB-2021-0074 - Kitchener Wilmot Hydro Inc. (KWHI)
Vulnerable Energy Consumers Coalition (VECC)
Request for Intervention and eligibility for cost awards**

Please find attached the Notice of Intervention of Vulnerable Energy Consumers Coalition (VECC) in the above-noted proceeding. We have also directed a copy of the same to the Applicant.

Please note that at the time of filing no application had been registered on the Board's Web Drawer for this proceeding. We have therefore relied solely upon the material dated January 26, 2021 and received by VECC as part of service by KWHI. We also note that apparently related Board correspondence to this proceeding has been registered in the Web Drawer of proceeding EB-2020-0035. The Board's letter is in response to correspondence by the Applicant dated December 15, 2020. KWHI's originating letter does not appear to be registered in either proceeding's Web Drawer. In order to assist VECC in better understanding its interest in this proceeding we would respectfully request the Board make that letter publicly available.

Yours truly,

John Lawford

Counsel for VECC

cc: KWHI - Margaret Nanninga - mnanninga@kwhydro.ca

**ONTARIO ENERGY BOARD
Kitchener-Wilmot Hydro Inc.
(KWHI)
2021 Rates Cost of Service Application**

**NOTICE OF INTERVENTION
OF THE
VULNERABLE ENERGY CONSUMERS COALITION**

To: Christine E. Long, Registrar
And to: Margaret Nanninga, MBA, CPA, CGA - Vice President Finance and CFO, KWHI

IDENTITY OF THE INTERVENOR AND ITS MEMBERSHIP

1. The Vulnerable Energy Consumers Coalition (VECC) hereby expresses its intention to intervene and 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

INDIVIDUALS AUTHORIZED TO REPRESENT VECC IN THIS PROCEEDING

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

John Lawford
Counsel, Regulatory and Public Policy
2-285 McLeod Street,
Ottawa, Ontario
K2P 1A1
613-562-4002 Ext. 125
jlawford@piac.ca
PIAC Office: 613-562-4002 (Donna Brady) Ext. 121

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

Bill Harper
107 Baker Ave
Richmond Hill, Ontario
L4C 1X5
bharper.consultant@bell.net

9. To mitigate costs VECC requests only electronic copies of the materials. VECC may ask for paper copies of some or all of the materials if this becomes necessary at some future point. VECC requests electronic copies of the application and any additional supporting materials be sent to its representatives at their respective e-mail addresses.

GROUND'S FOR THE INTERVENTION

10. VECC was an intervenor in KWHI's proceeding EB-2019-0049 a cost-of-service application for distribution rates covering the period 2020-2024. VECC did not intervene in the subsequent IRM proceeding EB-2020-0035. VECC does not normally seek intervention in these mechanistic IRM rate adjustment applications except in unusual circumstances. In this case it appears that

subsequent to the IRM application KWHI has discovered errors in billings from the IESO. The current application seeks to adjust the results of EB-2020-0035 for these errors. Specifically, the Applicant states:

*It is estimated that if this rate change is not granted the balance in account 1584 at the end of 2021 will be more than \$3.6 million dollars plus the amount required to settle the missing data point error. **This amount would have a significant effect on customers as KWHI would then apply for the true up of historical years missed (2015 through 2020) and 2021 current charges during the same 2022 IRM application. Adjusting KWHI's 10 network service rate now would reduce those future impacts.***(emphasis added)

VECC seeks to intervene to understand not only the potential for any approved change to impact future rates but also the implication of the error on past consumption periods VECC.

INTERESTS OF THE INTERVENOR

11. In addition to the specific interests addressed in our grounds for participation VECC is intervening in order to ensure that the interests of electricity consumer, particularly low-income consumers, are fully represented in the delivery of electricity and the determination of just and reasonable rates for that service. VECC intends to scrutinize all aspects of the Applicant's proposal.

INTENTION TO SEEK COST AWARDS

12. 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).
13. 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.

DATED AT OTTAWA, MARCH 5, 2021