

ONTARIO ENERGY BOARD

IN THE MATTER OF an application by Brantford Power Inc. and Energy+ Inc. for leave for Amalco Holdco to acquire control of Brantford Energy Corporation and Cambridge and North Dumfries Energy Plus Inc. pursuant to section 86(2)(b) of the *Ontario Energy Board Act, 1998*.

AND IN THE MATTER OF an application by Brantford Power Inc. and Energy+ Inc. for leave to amalgamate to form LDC Amalco made pursuant to section 86(1)(c) of the *Ontario Energy Board Act, 1998*.

AND IN THE MATTER OF an application by Brantford Power Inc. and Energy+ Inc. made pursuant to section 60 of the *Ontario Energy Board Act, 1998* for the issuance of a Distribution Licence to LDC Amalco.

AND IN THE MATTER OF an application by Brantford Power Inc. and Energy+ Inc. made pursuant to section 18 of the *Ontario Energy Board Act, 1998*, for leave to transfer the rate orders of Brantford Power Inc. and Energy+ Inc. to LDC Amalco, which would include the continuation of related distribution rates and low voltage rates associated with Embedded Distributor Service classifications;

AND IN THE MATTER OF an application by Brantford Power Inc. and Energy+ Inc. for leave for LDC Amalco to track costs to the existing regulatory and deferral and variance accounts (“DVAs”) currently approved by the Board for each service area and to seek disposition of their balances at a future date;

AND IN THE MATTER OF an application by Brantford Power Inc. and Energy+ Inc. for leave for LDC Amalco to track the grossed up Payment in Lieu (“PILs”) impact, of the variance between the Capital Cost Allowance (“CCA”) smoothing approach adopted by BPI in its 2022 Cost of Service (“COS”) Application Settlement Proposal (EB-2021-0009) (the “Settlement Proposal”), and the effective PILs impact of the phase out/elimination of the accelerated CCA in effect subsequent to 2026 and until LDC Amalco’s rebasing. The differences, if any, would be included in DVA Account 1592, PILs and Tax Variances Sub-Account CCA Changes for the Brantford service area only; and

AND IN THE MATTER OF an application by Brantford Power Inc. and Energy+ Inc. for the cancellation of the Distribution Licences of Brantford Power Inc. (ED-2003-0060) and Energy+ Inc. (ED-2002-0574) upon the issuance of the Distribution Licence to LDC Amalco.

NOTICE OF INTERVENTION
OF THE
SCHOOL ENERGY COALITION

1. The School Energy Coalition (“SEC”) applies for intervenor status in this proceeding.
2. SEC is a frequent intervenor in Board proceedings. Our current Annual Filing can be found on the Board’s website, here:

<http://www.rds.oeb.ca/HPECMWebDrawer/Record/589545/File/document>

3. The School Energy Coalition intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this matter. SEC has participated in many past natural gas and electricity proceedings in Ontario, including consultations, rate cases, and other processes and hearings, and has been found eligible to be paid its reasonably incurred costs in all of those proceedings.

Issues to be Addressed

4. SEC’s intended participation will include the following:
 - a. The impact of the proposed transactions on the ratepayers of both utilities, in both the short and long term, including application of the “no harm” test, and whether the proposed rates going forward are just and reasonable;
 - b. The consistency of the proposed transactions, including proposed conditions and related activities, with the Board’s policies and guidelines, including recent decisions of the Board in other cases;
 - c. If the applicant is granted, in full or in part, what conditions should the Board approve;
 - d. The proposal regarding the PILs impact of the variance between the phaseout/elimination of accelerated CCA, and the smoothing approach adopted in Brantford Power Inc.’s approved 2022 cost of service settlement proposal, beginning in 2026; and
 - e. Generally, to represent the interests of school boards and their students in this process.

The Intervenor’s Intended Participation

5. SEC intends to participate in any pre-hearing procedures, including interrogatories or technical conferences, and settlement conferences. SEC also intends to participate in any oral hearings of this matter, and in written or oral submissions, as well as any other parts of the process that the Board should order. While SEC does not currently intend to file evidence in this proceeding, it reserves its right to do so depending on the responses to interrogatories and any other discovery processes ordered by the Board.

Nature of Hearing Requested

6. Until interrogatories have been answered, we believe it is premature to assess whether a written or an oral hearing is more appropriate in this proceeding.

Counsel/Representative

7. SEC requests that a copy of all documents filed with the Board by each party to this proceeding be served on the intervenor, and on the intervenor's counsel, as follows:

a. School Energy Coalition: (electronic copies only)

ONTARIO EDUCATION SERVICES CORPORATION
c/o Ontario Public School Boards Association
439 University Avenue, 18th Floor
Toronto, ON
M5G 1Y8

Attn: Ted Doherty, Executive Director
Phone: 416-340-2540
Fax: 416-340-7571
Email: SEC@oesc-cseo.org

b. SEC's counsel: (electronic copies only)

SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION
2200 Yonge Street, Suite 1302
Toronto, Ontario, M4S 2C6

Attn: Mark Rubenstein
Phone: 647-483-0113
Fax: 416-438-3305
Email: mark@shepherdrubenstein.com

With an electronic copy to:

Attn: Fred Zheng
Phone: 647-483-0114
Email: fred@shepherdrubenstein.com

Respectfully, submitted on behalf of the School Energy Coalition this December 2, 2021.

Mark Rubenstein
Counsel for the School Energy Coalition