



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

June 9, 2022

VIA RESS

Ms. Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street  
Toronto, ON  
M4P 1E4

Dear Ms. Long:

**Re: EB-2022-0158 – Niagara-on-the-Lake Hydro Inc. (NOTL).  
Specified Customer Revenue Variance Account to a general Large Use Customer  
Revenue Variance Account  
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 as well as their Counsel via email.

Yours truly,

*John Lawford*

Counsel for VECC

Cc: NOTL – Tim Curtis - [tcurtis@notlhydro.com](mailto:tcurtis@notlhydro.com)  
Counsel Jonathan Myers - [jmyers@torys.com](mailto:jmyers@torys.com)

**ONTARIO ENERGY BOARD**

**EB-2022-0158**

**NIAGARA-ON-THE-LAKE (NOTL) HYDRO INC.**

**Specified Customer Revenue Variance Account**

**to a general Large Use Customer Revenue Variance Account**

**NOTICE OF INTERVENTION**

**OF THE**

**VULNERABLE ENERGY CONSUMERS COALITION (VECC)**

To: Ms. Nancy Marconi, Registrar  
And to: Tim Curtis, President, NOTL Hydro

**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: <https://www.oeb.ca/stakeholder-engagement/intervenor-information/annual-filings-frequent-intervenors>

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

7. The name and 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](mailto: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 consultants:

Bill Harper  
107 Baker Ave  
Richmond Hill, Ontario  
L4C 1X5  
[bharper.consultant@bell.net](mailto: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. VECC requests electronic copies of the application and any additional supporting materials are sent to its representatives at their respective e-mail addresses.

## **GROUNDS FOR THE INTERVENTION**

10. In the current application Niagara-on-the-Lake Hydro Inc. (NOTL Hydro) is proposing to: i) change its Large Use Retail Transmission Service Rates effective July 1, 2022 and ii) change the current Specified Customer Revenue Variance Account to a general Large Use Customer Revenue Variance Account. Both of these changes are in anticipation of a new Large Use customer which has requested service starting in July 2022 and is expected to operate on a 24/7 basis.
11. NOTL Hydro notes that without these changes: i) a shortfall will accumulate in NOTL Hydro's transmission-related variance accounts which would have a material financial impact on the utility in the short-term and would subsequently have to be recovered from all NOTL Hydro ratepayers and ii) all of the distribution revenue from the new customer would accrue to the NOTL Hydro as income.
12. VECC participated in the OEB's review of NOTL's last cost-of-service application (EB-2018-0056) which established both the load forecast that underpinned NOTL's rates for 2019 and the terms for the current Specific Customer Variance Account. VECC is specifically interested in ensuring that the proposals meet their intended objectives and, in the case of the variance account changes, are consistent with the general intent of variance account as originally approved.

## **INTERESTS OF THE INTERVENOR**

13. In addition to the specific interests mentioned above, VECC is intervening in order to ensure that the interests of electricity consumers, particularly low-income consumers, are fully represented in the OEB's consideration of NOTL Hydro's current requests.

## **INTENTION TO SEEK COST AWARDS**

14. 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 39) and its' Practice Direction on Cost Awards (Section 3.03).
15. 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.

\*\*\*\*