



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

October 3, 2022

VIA RESS

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

Dear Ms. Marconi:

**Re: EB-2022-0184–EPCOR Natural Gas Limited Partnership  
EPCOR Southern Bruce IRM/CVVA Application  
Vulnerable Energy Consumers Coalition (VECC)  
Request for Intervention and eligibility for cost awards**

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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 E-mail.

Yours truly,

*John Lawford*

Counsel for VECC

cc: EPCOR- Tim Hesselink - [Thesselink@epcor.com](mailto:Thesselink@epcor.com)  
Counsel - Daniela O'Callaghan - [DOCallaghan@epcor.com](mailto:DOCallaghan@epcor.com)

2-285 McLeod Street, Ottawa, ON K2P 1A1 Tel: 613-562-4002 Ext. 125 [www.piac.ca](http://www.piac.ca)  
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**ONTARIO ENERGY BOARD**

**EPCOR Natural Gas Limited Partnership  
Southern Bruce  
2023 Customer Incentive Rate Adjustment Application  
NOTICE OF INTERVENTION  
OF THE  
VULNERABLE ENERGY CONSUMERS COALITION**

To: Ms. Nancy Marconi, Registrar  
And to: Tim Hesselink, Senior Manager, Regulatory Affairs, Ontario EPCOR Utilities Inc.

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

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

8. 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

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

Mark Garner (project manager)  
647 Broadway Ave.  
Toronto, Ontario  
M4G 2S8  
647-408-4501 (office)  
[markgarner@rogers.com](mailto:markgarner@rogers.com)

10. 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.

## **GROUNDINGS FOR THE INTERVENTION**

11. VECC does not normally apply for intervenor status for utilities seeking to make mechanistic rates changes under a prior approved Board IRM or other rate period plan. As such we were not aware, until informed by Procedural Order No. 2 in this proceeding, that the noted application by EPCOR Natural Gas Limited Partnership (EPCOR Southern Bruce) included a request for a customer volume variance account (CVVA). The purpose of the account as stated is to *“track the variance in revenue resulting from the difference between forecasted customer volume and the actual customer volume for Rate 1 and 6 customers in its Southern Bruce operations.”*

## **INTERESTS OF THE INTERVENOR**

12. The variance account proposal raises a number of questions of both a mechanistic and policy nature. For example, the proposal, as we understand it, requests that the account be established on a retroactive basis to 2020. We also note that the account in and of itself raises questions with respect to the specific way in which the Board approved rates for this greenfield utility in the proceeding EB-2018-0264. VECC was an approved intervenor in that proceeding. We also note that the response of EPCOR Southern Bruce to Board Staff’s interrogatory on the issues adds 20% more material than the initial application, is quite technical and detailed and raises the potential need for further questions of clarification.
13. VECC’s interests are limited to exploration of the CVVA account and to the IRM application only in respect to how they interact together.

## **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.

**\*\*\*OCTOBER 3, 2022\*\*\***