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# Intervention Form

## Case Number:

EB-2022-0318

## Intervenor Name:

Association of Power Producers of Ontario

## Mandate and Objectives:

APPrO is a trade association founded in 1986, focusing exclusively on the business issues of power producers in Ontario. Its generator member companies build, own and operate power projects in Ontario, across Canada and elsewhere in the world, and produce more than 90 per cent of Ontario's electricity from clean and renewable resources including hydro-electric, nuclear, natural gas, wind, and solar energy.

APPrO plays a leadership role in the formation of electricity policy and rules to facilitate investment in sustainable electricity infrastructure and the clear and transparent pricing of electricity in Ontario.

## Membership of the Intervenor and Constituency

### Represented:

APPrO is a non-profit organization founded in 1986 and representing more than 100 companies involved in the generation of electricity in Ontario, including generators and suppliers of services, equipment and consulting services. APPrO members produce electricity from natural gas, hydro, nuclear, wind, biogas and other sources.

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APPrO generator members include:

Algonquin Power and Utilities Corp.

Atura Power  
Brookfield Renewable  
Bruce Power  
Capital Power Corporation  
Capstone Infrastructure  
ENGIE Canada Inc.  
Greenfield Energy Centre  
GTAA - Greater Toronto Airport Authority  
H2O Power Holding Limited Partnership  
Invenergy  
Markham District Energy Inc.  
Northland Power  
Ontario Power Generation  
Toromont Energy Ltd.  
TransAlta Corp

## **Programs or Activities Carried Out by the Intervenor:**

APPrO is primarily active in IESO matters, including market rules and market rule amendments, various stakeholder engagements, resource adequacy and other planning initiatives such as the Annual Planning Outlook as well as resulting procurement processes, the Market Renewal Program; generator contract management issues related to Renewal Program; and OEB regulatory proceedings which involve identifiable concerns for generators in relation to natural gas rates and services, as well as transmission rates affecting generators who are also exporters.

## **Governance Structure:**

APPrO is governed by a Board of Directors, each a representative of member generator companies. The President and CEO, David Butters will solicit instructions from its Board of Directors, as well as its member generators generally, and convey those instructions directly to its legal representative of record in this proceeding.

## **Representatives:**

Reena Goyal  
[rgoyal@mccarthy.ca](mailto:rgoyal@mccarthy.ca)

## **Other Contacts:**

David Butters  
[david.butters@appro.org](mailto:david.butters@appro.org)

## **Frequent Intervenor Form:**

### **OEB Proceedings:**

APPPrO is or has participated as an intervener in the IESO's 2020-2021 Expenditure and Revenue Requirement proceeding EB-2020-0230, Hydro One's Richview to Trafalgar TS Reconductoring Project proceeding EB-2021-0136, Generic Hearing on UTRs EB-2021-0243, as well as Enbridge Gas' current 2024 Rebasing Application EB-2022-0200.

### **Issues:**

The IESO's proposed 2023-2025 expenditures and revenue requirements, including those related to the Market Renewal Program.

The IESO's proposed usage fees.

Cost allocation of IESO costs between domestic and export customers.

Compliance with the terms of previously approved settlement proposals.

Proposed disposition of various deferral and variance accounts, including the FVDA.

Increase in operating reserve threshold and material change threshold framework.

### **Policy Interests:**

All APPPrO generator members are participants in the IESO-administered markets and sell into it. APPPrO members export significant energy through it to other neighbouring control areas. The IESO-administered markets and programs are their primary channel of sales and they currently pay IESO fees to access these markets and programs. Changes to fees can have a significant and negative impact on their businesses.

### **Hearings:**

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

### **Evidence:**

APPPrO intends to participate by requesting information with respect to the issues identified above, participating in any requisite motions, testing evidence through the stipulated

processes, submitting written interrogatories and providing argument in accordance with the OEB's procedures. Subject to the development of the record in this matter, APPrO may also submit evidence.

## **Coordination with Other Intervenors:**

APPrO 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.

## **Cost Awards:**

APPrO will be requesting an award of costs for its participation in this proceeding.

In accordance with subsection 3.03a of the OEB's Practice Direction on Cost Awards, APPrO is eligible to seek an award of costs from the IESO, as APPrO is a party that represents the direct interests of customers - generators and exporters - in relation to IESO services that are regulated by the Board .

Furthermore, although subsection 3.05b of the Cost Award Direction stipulates that despite section 3.03, generators are not eligible for a cost award, section 3.06 states that notwithstanding section 3.05, a party which falls into one of the categories listed in section 3.05 may be eligible for a cost award if it is a customer of the applicant.

APPrO has participated on this basis in previous OEB proceedings addressing the imposition of payments on power exports, including the IESO's 2016, 2017 and 2019 Expenditure and Revenue Requirement proceedings.

## **Language Preference:**

N/A