

# AGORA

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Sent by Email

May 19, 2023

Ontario Energy Board  
2300 Yonge Street  
27th Floor  
Toronto, ON M4P 1E4  
Attention: Registrar

Dear Ms. Marconi:

**Re: EB-2023-0062 – 2021 Demand Side Management Deferral and Variance  
Account Disposition Application by Enbridge Gas Inc. – SBUA Intervention  
Request Letter**

We are counsel to the Small Business Utility Alliance (SBUA). Please find enclosed SBUA's Notice of Intervention requesting intervenor status and cost eligibility in the above-noted proceeding.

Yours truly,



**Myriam Seers**  
Agora

cc. All parties in EB-2023-0062

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the Ontario Energy Board Act, 1998, S.O. 1998, c. 15,  
Schedule B, as amended;

**AND IN THE MATTER OF** an application by Enbridge Gas Inc. for an order  
approving 2021 Demand Side Management Deferral and Variance Accounts  
Disposition.

**EB-2023-0062**

**NOTICE OF INTERVENTION  
OF THE  
SMALL BUSINESS UTILITY ALLIANCE**

**A. APPLICATION FOR INTERVENOR STATUS**

1. Small Business Utility Alliance (“SBUA”) applies for intervenor status in this proceeding pursuant to Rule 22 of the Board’s Rules of Practice and Procedure.

**B. SBUA**

2. SBUA is a group of small business ratepayers in Ontario with its members located in different cities and counties.
3. SBUA’s mandate is “to represent, protect, and promote the interests of small businesses as utility customers of electric, natural gas, water, and telecommunications services before administrative and regulatory bodies on utility and energy matters” throughout the Province of Ontario.
4. SBUA’s mandate is “to advocate for the broader interests of the small business community as a whole and not the specific or direct financial interests of individual small businesses or the members of our alliance”.

### **C. NATURE AND SCOPE OF SBUA'S INTERVENTION**

5. SBUA intends to participate in any pre-hearing procedures, including interrogatories or technical conferences, and settlement conferences. Also, SBUA intends to participate in any oral or written hearings, oral or written submissions, as well as any other parts of the process.
6. SBUA intends to be an active participant in this proceeding and will act responsibly in the proceeding by submitting evidence, argument, or interrogatories, or by cross-examining a witness. The participation will include but not be limited to the following:
  - a. The appropriateness and reasonableness of the final balances in the 2021 Demand Side Management Deferral and Variance Accounts proposed by Enbridge Gas Inc.
  - b. The appropriateness and reasonableness of the deposition proposed by Enbridge Gas Inc.
  - c. Generally, to represent the interests of the Small Business.
7. Furthermore, SBUA will act responsibly to coordinate its participation with other parties to the extent they seek similar objectives.

### **D. COSTS**

8. SBUA intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this proceeding pursuant to section 3 of the Practice Direction on Cost Awards.
9. SBUA represents the direct interests of consumers in relation to services regulated by the OEB, by giving analysis and advocacy from the perspective of small businesses. Likewise, SBUA is a party that has applied for and been approved with intervention status and cost award eligibility in a number of other OEB proceedings.

**E. SBUA'S REPRESENTATIVES**

10. SBUA requests that further communications with respect to this proceeding be sent to the following:

Agora International Law (Ontario) PC

Bay Adelaide Centre West  
333 Bay Street, Suite 900  
Toronto ON M5H 2R2

Attention: Myriam Seers and Sebastian Melo

Telephone: +1 416 886 7154

Emails: [mseers@agora.law](mailto:mseers@agora.law)  
[smelo@agora.law](mailto:smelo@agora.law)

As well as service (for electronic communications only) on:

James M. Birkelund, Counsel  
Energy and Environmental Law Group  
[james@birkelundlaw.com](mailto:james@birkelundlaw.com)

SBUA respectfully requests your acceptance of this notice of intention to participate and confirmation that it will be eligible for costs.

Submitted on behalf of the Small Business Utility Alliance this May 19, 2023.