



From: Ontario Energy Board <webmaster@oeb.ca>
Sent: Tuesday, September 12, 2023 8:39 AM
To: Office of the Registrar <Registrar@oeb.ca>
Cc: Kent <kent@elsonadvocacy.ca>
Subject: Intervention Form: EB-2023-0200 - Environmental Defence

Intervention Form

Case Number:

EB-2023-0200

Intervenor Name:

Environmental Defence

Mandate and Objectives:

Refer to the Frequent Intervenor Form below.

Membership of the Intervenor and Constituency Represented:

Refer to the Frequent Intervenor Form below.

Programs or Activities Carried Out by the Intervenor:

Refer to the Frequent Intervenor Form below.

Governance Structure:

Refer to the Frequent Intervenor Form below.

Representatives:

Refer to the Frequent Intervenor Form below. Refer to the Frequent Intervenor Form below.
Refer to the Frequent Intervenor Form below.

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Other Contacts:

Refer to the Frequent Intervenor Form below. Refer to the Frequent Intervenor Form below.
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Frequent Intervenor Form:

<https://www.rds.oeb.ca/CMWebDrawer/Record/804452/File/document>

OEB Proceedings:

Environmental Defence was granted intervenor status in the following proceedings in the last 24 months (or participant status for consultation processes):

EB-2021-0050 – Hydro One Networks Inc. – 2022 Rate Application

EB-2021-0110 – Custom IR Application (2023-2027) for Hydro One Networks Inc.
Transmission and Distribution

EB-2021-0136 – Hydro One Networks Inc. – Richview to Trafalgar Reconductoring Project

EB-2021-0147 – Enbridge Gas Inc. – 2022 Rates

EB-2021-0148 – Enbridge Gas Inc. – 2022 Rates (Phase 2) – Incremental Capital Module

EB-2021-0205 – Enbridge Gas Inc. – Greenstone Pipeline Project

EB-2022-0002 – IESO 2022 Revenue Requirement

EB-2022-0003 – Toronto Waterfront Relocation Project

EB-2022-0011 – Framework for Review of Intervenor Processes and Cost Awards

EB-2022-0013 – Alectra Utilities Corporation – 2023 ICM Application

EB-2022-0024 – Elexicon Energy Inc. – 2023 Distribution Rate Application

EB-2022-0028 – EPCOR Electricity Distribution Ontario Inc. – Application to raise electricity distribution rates

EB-2022-0028 – EPCOR Electricity Distribution Ontario Inc. – Application to raise electricity distribution rates

EB-2022-0059 – PUC Distribution Inc. – Cost of Service Application

EB-2022-0072 – Consultation to Review Annual Update to Five-Year Natural Gas Supply Plan of Enbridge Gas Inc.

EB-2022-0074 – Stakeholder Meeting on Design of an Optional Enhanced Time of Use (TOU) Rate
EB-2022-0086 – Enbridge Gas Inc. - Dawn to Corunna Pipeline Project
EB-2022-0137 – IESO 2022 – SME
EB-2022-0156 – Enbridge Gas Inc. – Selwyn Community Expansion Project
EB-2022-0157 – Enbridge Gas Inc. – Panhandle Regional Expansion Project
EB-2022-0200 – Enbridge Gas Inc. 2024 to 2028 Rates Application
EB-2022-0247 – Enbridge Gas Inc. – Scarborough Subway Expansion – Kennedy Station Relocation Project
EB-2022-0248 – Enbridge Gas Inc. – Mohawks of the Bay of Quinte First Nation Community Expansion Project
EB-2022-0249 – Enbridge Gas Inc. – Hidden Valley Community Expansion Project
EB-2023-0003 – Engagement on Distributor Resilience, Responsiveness and Cost Efficiency
EB-2023-0071 – Electric Vehicle Integration (EVI)
EB-2023-2025 – IESO Revenue Requirement Submission (EB-2022-0318)
Electric Delivery Rates for Electric Vehicle (EV) Charging Report and Invitation to Stakeholder Meeting

Environmental Defence has not been denied intervenor status in an OEB proceeding in the last 24 months.

Issues:

Environmental Defence wishes to address important issues relating to its mandate, such as:

- Whether customers are adequately protected from financial risks, revenue shortfalls, and cost overruns (e.g., the risk that fewer customers convert to gas than forecast);
- The appropriate treatment of the project costs after the rate stability period has concluded, including if a revenue shortfall has occurred;
- Whether the customer attachment forecast is reasonable;
- Whether Enbridge has appropriately accounted for the potential impact of gas prices and the relative cost-effectiveness of high-efficiency cold climate heat pumps on the project economics and project design;
- Whether the application complies with the Access to Natural Gas Act, 2018 and related government policy;
- Whether the application complies with Board directions and guidelines; and
- Whether the legal tests under sections 36 and 90(1) of the Ontario Energy Board Act have been met.

Policy Interests:

Environmental Defence's interest in this proceeding is in promoting both the public interest in environmental protection and the interests of consumers whose energy bills can be reduced through measures that lower both costs and environmental impacts. Environmental Defence's knowledge and expertise relating to decarbonization is relevant, among other things, to the financial risks of this project and in particular the likelihood that the revenue forecast will not be met due to customers choosing to adopt alternatives to fossil methane gas heating over time.

Hearings:

A written hearing is likely sufficient. However, if the interrogatory responses leave significant important questions unanswered, Environmental Defence may request that a technical conference be held.

Evidence:

Environmental Defence seeks to submit evidence relating to the risk that the revenue forecast will not materialize due to customers choosing to adopt alternatives to fossil methane gas heating over time, especially electric heat pumps. This will include evidence on the cost effectiveness of electric heat pumps versus traditional gas equipment on an annual and lifetime basis. This evidence directly relates to the financial risks for customers under issue three of the generic issues list for leave to construct applications. The evidence also relates to potential conditions of approval under issue seven in that conditions may be warranted relating to appropriate communications to potential new customers on the cost-effectiveness of various heating options.

Environmental Defence will be in a better position to define the scope of evidence that it seeks to submit following the receipt of interrogatory responses. Those responses may help to reduce the scope of intervenor evidence that is required. We therefore propose to submit an estimate of the scope and cost within one week of receiving the interrogatory responses. In any event, we anticipate that the evidence can be developed quickly (i.e. in a few weeks) and for a very modest cost (i.e. between \$0 and \$10,000).

Coordination with Other Intervenors:

It is difficult to speak to coordination without knowing which organizations will intervene in this case. However, in other leave to construct applications relating to gas expansion, other intervenors have referred to and relied on the submissions of Environmental Defence regarding revenue forecast risks.

Cost Awards:

Environmental Defence is eligible for a cost award primarily under s. 3.03(b) of the Practice Direction as it primarily represents an interest or policy perspective relevant to the Board's mandate and to the proceeding for which cost award eligibility is sought, namely environmental and climate protection. In addition, with respect to s. 3.03(a) of the practice direction, Environmental Defence also represents the interests of consumers whose energy bills can be reduced through measures that lower both costs and environmental impacts.

Language Preference:

We do not intend to participate in French.

