

# Elson Advocacy

**BY RESS**

October 20, 2023

**Nancy Marconi**  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> floor, P.O. Box 2319  
Toronto, Ontario M4P 1E4

Dear Ms. Marconi:

**Re: EB-2023-0278 – Consultation on Policy for Standby Rates**

We are writing on behalf of Environmental Defence to request participant status and cost award eligibility in the above consultation.

## **Nature of Interest**

Environmental Defence seeks participant status and costs eligibility as a leading environmental organization that represents 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 is particularly interested in the potential impacts of standby rates on distributed energy resources, as well as alternatives to standby rates that could send more efficient price signals to customers. Environmental Defence was an active participant in the commercial and industrial rate design proceeding (EB-2015-0043) and has taken an active position on standby rates in individual distributor rates cases.

## **Leave for Late Request**

Environmental Defence requests that it be granted participant status and costs eligibility despite the delay in submitting this letter. I apologise for the delay, which was simply due to an oversight on my part. As the consultation has not yet taken place, there will be no prejudice or delay to the overall process. This letter is being sent to all parties that were served with the kickoff letter.

## **Grounds for Eligibility and Need for Funding**

Environmental Defence has been granted intervenor status, participant status, and costs eligibility in many proceedings before the Ontario Energy Board. Environmental Defence is eligible for an award of costs under section 3.03(a) and (b) of the Practice Direction on Costs Awards as it represents “an interest or policy perspective relevant to the Board’s Mandate,”

including environmental protection, and the “direct interest of “consumers” whose energy bills can be reduced through increased distributed energy resources, energy efficiency, efficient price signals, and other similar such means.

Environmental Defence has no funding to participate in this process without an award of costs eligibility.

### **Counsel and Consultant**

Environmental Defence’s energy consultant is Jack Gibbons. Mr. Gibbons has over 35 years of experience with Ontario energy regulation and Ontario Energy Board matters.

Environmental Defence’s legal counsel is Kent Elson. Mr. Elson has over ten years of experience acting in Ontario Energy Board matters.

Environmental Defence’s consultant and counsel have a long track record of providing highly relevant, responsible, and non-duplicative representation in Ontario Energy Board proceedings.

### **Further Detailed Regarding Environmental Defence**

Further details can be found in Environmental Defence’s frequent intervenor filing:

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

### **Requests for Materials and Addresses of Representative**

Environmental Defence requests that electronic copies of the draft hearing plan and any other documents for the conference be delivered to the following consultant and counsel:

Electronic copies to:

**Jack Gibbons**  
Ontario Clean Air Alliance  
160 John Street, Suite 300  
Toronto, Ontario M5V 2E5  
Tel: (416) 260-2080 ext. 2  
E-mail: jack@cleanairalliance.org

Electronic copies to:

**Kent Elson**  
**Amanda Montgomery**  
Elson Advocacy  
1062 College Street, Lower Suite  
Toronto, Ontario M6H 1A9  
Tel: (416) 906-7305 / 647-250-7338  
Fax: (416) 763-5435

E-mail: kent@elsonadvocacy.ca / amanda@elsonadvocacy.ca

We also request that the above individuals be listed on the participants list under Environmental Defence.

**Address of Environmental Defence**

Environmental Defence's full name and address is:

**Environmental Defence Canada Inc.**

33 Cecil Street, 1<sup>st</sup> Floor  
Toronto, Ontario M5T 1N1  
Tel: (416) 323-9521  
Fax: (416) 323-9301

However, please send correspondence and any other materials to both Jack Gibbons and to counsel as the authorized representatives

Yours truly,

A handwritten signature in blue ink, appearing to read 'K. Elson', written over a horizontal line.

Kent Elson

cc: Parties served with the kickoff letter