

AFFIDAVIT

CANADA | THE MATTER OF EARTH POWER CORPORATION
Province of Ontario | Notice of Application and Hearing
Town of Ingersoll | for an Electricity Distribution Rate
----- | Change No: EB-2023-0019

I, Graig Pettit, of the Town of Ingersoll, in the County of Oxford and the Province of Ontario,

Solemnly Declare, that:

I am the Vice-President and General Manager of EARTH Power Corporation (hereinafter referred to as "EARTH Power") and as such have knowledge of the matters hereinafter deposed to.

Pursuant to the OEB's Letter of Direction dated December 4, 2023 (the "Letter") in the above referenced case (attached to this affidavit as Exhibit 1), EARTH Power Corporation has completed the following steps:

1. Copies of the Application, evidence and the Notice are available as of December 6, 2023 for public viewing on its website (www.earthpower.com) and at 143 Bell Street, Ingersoll ON. The form of the posted notice is attached to this affidavit as Exhibit 2.
2. A copy of the Notice has been served to all intervenors of record in EARTH Power's previous cost of service rate application proceeding EB-2017-0038 and EB-2018-0082 delivered by email or courier on December 7, 2023: Consumers Council of Canada, Vulnerable Energy Consumers Coalition, School Energy Coalition. The form of notice sent to the intervenors is attached to this Affidavit as Exhibit 3.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me at the

Town of Ingersoll

In the County of Oxford

And Province of Ontario

This 7th day of December, 2023

Graig Pettit, Vice-President and General Manager,
EARTH Power Corporation

A Commissioner, etc.

Exhibit 1
Letter of Direction



BY EMAIL

December 4, 2023

Diane Taylor
Manager, Regulatory and Customer Care
ERTH Power Corporation
143 Bell Street
P.O. Box 157
Ingersoll ON N5C 3K5
Diane.Taylor@erthpower.com

LETTER OF DIRECTION

Dear Ms. Taylor:

**Re: ERTH Power Corporation (ERTH Power)
Application for 2024 Distribution Rates
Ontario Energy Board File Number: EB-2023-0019**

The Ontario Energy Board (OEB) has now issued its Notice of Hearing for ERTH Power's application for 2024 Distribution Rates (Notice). Please note that you must comply with the directions in paragraphs 1 to 3 below prior to **December 8, 2023**. If you are unable to comply with the directions within this timeframe, you must inform the Registrar immediately at registrar@oeb.ca.

You are directed:

1. To post the enclosed Notice(s), the application and the evidence, and any amendments thereto, on ERTH Power's website.
2. To arrange for the service of the enclosed Notice, the application and the evidence, directly on all intervenors of record in ERTH Power's previous applications **EB-2017-0038** and **EB-2018-0082**.
3. To file with the OEB an affidavit proving completion of the matters in paragraphs 1 and 2 above immediately thereafter.

You are further directed not to include any documents or materials when serving the Notice other than documents or materials expressly required by this letter of direction to be served.

Yours truly,

Nancy Marconi
Registrar

Enclosed

Exhibit 2

Form of Notice -Website

The screenshot shows the ERTH Power website's 2024 Rate Application page. The browser address bar shows the URL: <https://www.ertHPower.com/ertH-power-2024--rate-application/>. The website header includes the ERTH logo and navigation links: Accounts and Services, Outages and Safety, Sustainability, Your Home Town Utility, and a menu icon labeled 'I Want To...'. The main content area is titled 'ERTH Power 2024 Rate Application' and contains the following text:

ERTH Power Corporation currently has its 2024 IRM rate application for May 1, 2024, before the Ontario Energy Board for approval.

If the application is approved as filed, a typical residential customer and a typical general service customer of ERTH Power would see the following increase:

Rate Class	Main Rate Zone	Goderich Rate Zone
Residential (750 kWh)	\$1.57 per month	\$1.66 per month
General Service less than 50kW (2,000 kWh)	\$2.52 per month	\$2.81 per month

Other customers, including businesses, will also be affected, It's important to review the application carefully to determine whether you may be affected by the proposed changes.

ERTH Power Corporation's application includes an adjustment to correct a calculation error identified in certain 2023 approved rates for its Main Rate Zone. The adjustment will result in an additional bill increase for all Non-Regulated Price Plan customers in the Main Rate Zone.

[View ERTH Power's Application Notice](#)

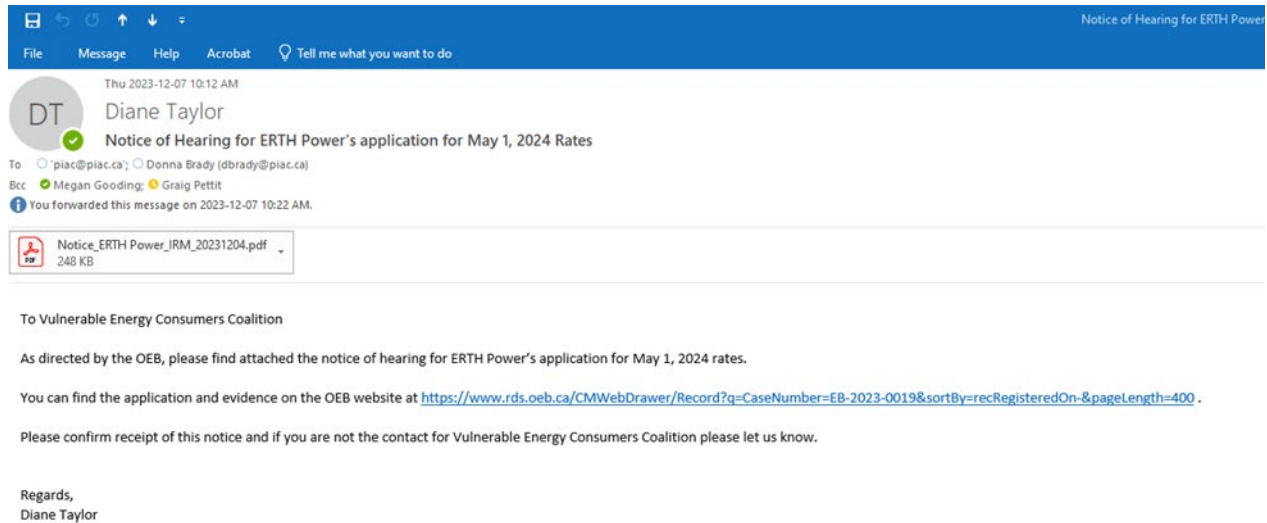
[View the ERTH Power 2024 IRM Rate Application](#)

On the right side, under 'Recent Articles', there is a featured article titled 'ERTH Power 2024 Rate Application' dated December 6, 2023. The article text reads: 'ERTH Power Corporation currently has its 2024 IRM rate application for May 1, 2024, before the Ontario Energy Board for approval. If the application is approved as filed, a typical [...]

Exhibit 3

Form of Notice -Intervenors

Vulnerable Energy Consumers Council -Intervenor in both EB-2017-0038 and EB-2018-0082



Notice of Hearing for ERTH Power's application for May 1, 2024 Rates

Thu 2023-12-07 10:12 AM

DT Diane Taylor

Notice of Hearing for ERTH Power's application for May 1, 2024 Rates

To: piac@piac.ca; Donna Brady (dbrady@piac.ca)

Bcc: Megan Gooding; Graig Pettit

You forwarded this message on 2023-12-07 10:22 AM.

Notice_ERTH Power_IRM_20231204.pdf
248 KB

To Vulnerable Energy Consumers Coalition

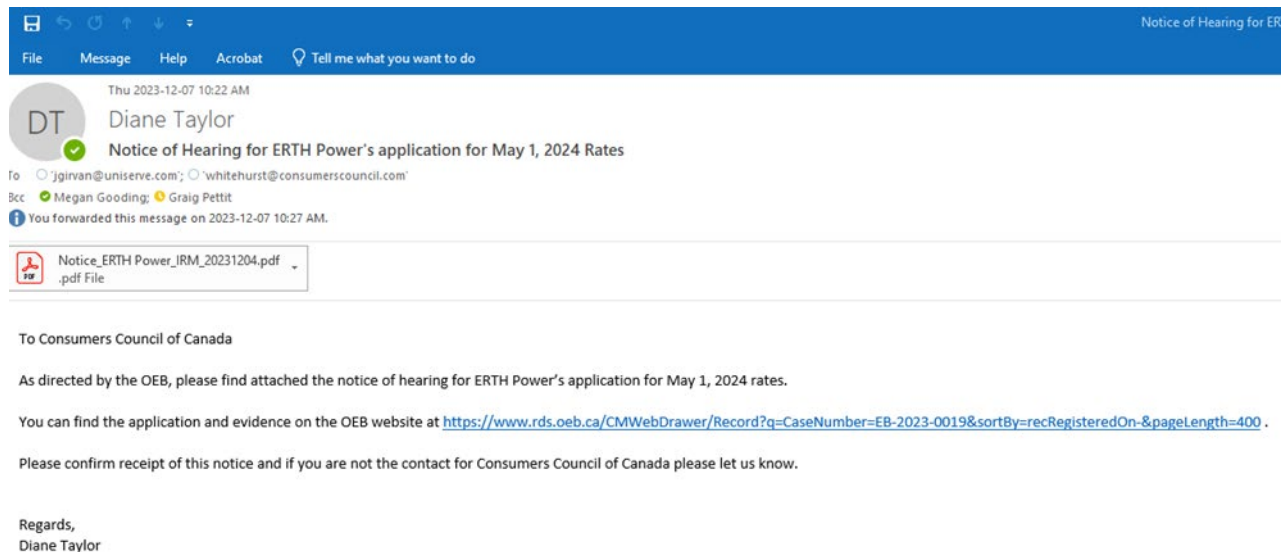
As directed by the OEB, please find attached the notice of hearing for ERTH Power's application for May 1, 2024 rates.

You can find the application and evidence on the OEB website at <https://www.rds.oeb.ca/CMWebDrawer/Record?q=CaseNumber=EB-2023-0019&sortBy=recRegisteredOn-&pageLength=400>.

Please confirm receipt of this notice and if you are not the contact for Vulnerable Energy Consumers Coalition please let us know.

Regards,
Diane Taylor

Consumers Council of Canada -Intervenor in EB-2017-0038



Notice of Hearing for ERTH Power's application for May 1, 2024 Rates

Thu 2023-12-07 10:22 AM

DT Diane Taylor

Notice of Hearing for ERTH Power's application for May 1, 2024 Rates

To: jgirvan@uniserve.com; whitehurst@consumerscouncil.com

Bcc: Megan Gooding; Graig Pettit

You forwarded this message on 2023-12-07 10:27 AM.

Notice_ERTH Power_IRM_20231204.pdf
.pdf File

To Consumers Council of Canada

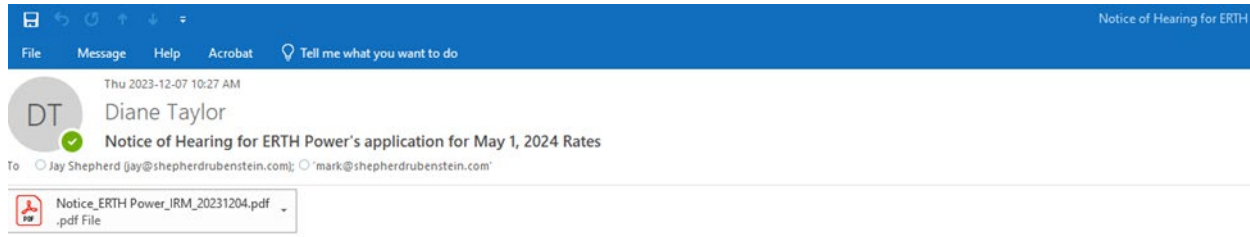
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Please confirm receipt of this notice and if you are not the contact for Consumers Council of Canada please let us know.

Regards,
Diane Taylor

School Energy Coalition -Intervenor in EB-2017-0038



To School Energy Coalition

As directed by the OEB, please find attached the notice of hearing for ERTH Power's application for May 1, 2024 rates.

You can find the application and evidence on the OEB website at <https://www.rds.oeb.ca/CMWebDrawer/Record?q=CaseNumber=EB-2023-0019&sortBy=recRegisteredOn-&pageLength=400>.

Please confirm receipt of this notice and if you are not the contact for School Energy Coalition please let us know.

Regards,
Diane Taylor

Gord Garland -Intervenor in EB-2018-0082

From: NotificationService@puolator.com <NotificationService@puolator.com>
Sent: December 8, 2023 1:34 PM
To: Trudy Wilkins <Trudy.Wilkins@erthcorp.com>
Subject: Puolator - Your shipment is delivered / Votre envoi a été livré - PIN/NIC:334449694838

Your shipment is delivered!

Hi Trudy Wilkins,

As requested by Trudy Wilkins , trudy.wilkins@erthcorp.com, this message confirms that the shipment(s) have been successfully delivered. We look forward to delivering for you again in the near future!

PIN: 334449694838
Status: Delivered to GORDAN GARLAND
Delivery Date/Time: December 8, 2023 at 13:30
To: GORDAN GARLAND
City:
Province:
Tracking Details: <https://www.puolator.com/en/ship-track/tracking-details.page?pin=334449694838>

This email was sent from our automated inbox. Please do not reply.