

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

**AND IN THE MATTER OF a consultation initiated by the Board for the development of Demand Side Management Guidelines for Natural Gas Distributors.**

**NOTICE OF INTERVENTION**

**OF THE**

**SCHOOL ENERGY COALITION**

1. The School Energy Coalition applies for intervenor status in this proceeding.

**General Interest of the Intervenor**

2. The School Energy Coalition is a coalition established to represent the interests of all Ontario publicly-funded schools in matters relating to energy regulation, policy, and management. It is made up all seven of the major school-related organizations, representing all of the school boards, and all levels of school management, and through them representing the approximately 5000 schools and about 2 million students in Ontario. The primary goal of these organizations is to promote and enhance public education for the benefit of all students and citizens of Ontario.
3. The intervenor's members have a significant interest in the activities of regulated utilities and their affiliates in the province, due to the severe financial implications those activities have on school boards, their students and the people of the province of Ontario. Utility costs are one of the most significant cost pressures facing school boards. The cost of energy services to the intervenor's members is currently in excess of \$400 million, and has increased rapidly over the last five years. To produce balanced budgets in the face of ever increasing utility costs, school boards have repeatedly been forced to cut essential programs and services to the detriment of the students and the public of the province of Ontario. All schools in the province are impacted by changes in the rates and ownership of regulated utilities.

**Issues to be Addressed**

4. The School Energy Coalition is intervening:

- a. To provide initial input into the principles that should be addressed in the new Guidelines, and the issues that have arisen in the past related to DSM implementation;
  - b. To review the Board Staff paper and consultant's report, and all other proposals, submissions and documentation, and assist the Board in evaluating the appropriate response to the issues;
  - c. To review and provide input on any additional issues raised by Board Staff or the parties; and
  - d. Generally to represent the interests of the school boards and their students in this proceeding in all major aspects of the issues being addressed.
5. The foregoing summary is intended to be illustrative but not exhaustive. The School Energy Coalition will continue to review filed material and other evidence as the record continues to develop, and will advise parties of any further areas of interest/concern as the proceeding continues.
  6. Annexed to this Notice of Intervention for the assistance of the Board is a memorandum prepared by the intervenor members of the Enbridge 2007 Evaluation and Audit Committee (School Energy Coalition, Green Energy Coalition, and Pollution Probe), detailing some of the issues that have arisen in practice surrounding the EAC process. These represent some of the issues and concerns that the School Energy Coalition will raise in this consultation.

#### **The Intervenor's Intended Participation**

7. The School Energy Coalition intends to participate in the initial meetings with Board Staff, to comment on the Board Staff paper and the consultant's report, to participate in all Technical Conferences and other consultation forums, and generally to be involved in each aspect of this process as it develops.

#### **Counsel/Representative**

8. The School Energy Coalition requests that a copy of all documents filed with the Board by each party to this proceeding be served on the Applicant, and on the Applicant's counsel and case manager as follows:

(a) School Energy Coalition:

**ONTARIO EDUCATION SERVICES CORPORATION**  
**c/o Ontario Public School Boards Association**  
 439 University Avenue, 18<sup>th</sup> Floor  
 Toronto, ON  
 M5G 1Y8

Attn: Bob Williams, Co-ordinator

Phone: 416 340-2540  
Fax: 416 340-7571  
Email: [bwilliams@opsba.org](mailto:bwilliams@opsba.org)

(b) School Energy Coalition's counsel:

**SHIBLEY RIGHTON LLP**  
Barristers and Solicitors  
250 University Avenue, Suite 700  
Toronto, Ontario, M5H 3E5

Attn: Jay Shepherd  
Phone: 416 214-5224  
Fax: 416 214-5424  
Email: [jay.shepherd@shibleyrighton.com](mailto:jay.shepherd@shibleyrighton.com)

(c) School Energy Coalition's conservation specialist:

**INSTITUTIONAL ENERGY ANALYSIS INC.**  
250 University Avenue, Suite 700  
Toronto, Ontario, M5H 3E5

Attn: Corinne Bassett  
Phone: 416 214-526  
Fax: 416 214-546  
Email: [corinne.bassett@ieai.ca](mailto:corinne.bassett@ieai.ca)

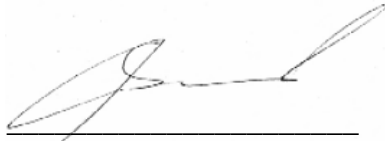
### **Costs**

9. The School Energy Coalition intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this matter. The School Energy Coalition has participated in many past natural gas and electricity proceedings in Ontario, consultations, rate cases, and other processes and hearings, and has been found eligible to be paid its reasonably incurred costs in all of those proceedings. The School Energy Coalition was particularly active in the last Gas DSM generic proceeding, has participated in the DSM Consultatives of both Enbridge and Union Gas, and has often represented other intervenors on the Audit Committees of the utilities.
10. The School Energy Coalition is eligible for a cost award because it “primarily represents the interests of consumers (e.g. ratepayers) in relation to regulated services”. School boards are one of the largest groups of non-industrial energy consumers in the province, and their energy costs have a direct impact on the education of millions of Ontario children. The formation of the School Energy Coalition ensured that all representatives of the interests of schools participated jointly in OEB proceedings.
11. The School Energy Coalition is not ineligible by reason of any of the criteria contained in section 3.05 of the Practice Direction on Cost Awards.

Respectfully submitted on behalf of the School Energy Coalition this 14<sup>th</sup> day of November, 2008

**SHIBLEY RIGHTON LLP**

Per:

A handwritten signature in dark ink, appearing to read "Jay Shepherd", written over a horizontal line.

Jay Shepherd