



**BY EMAIL and RESS**

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April 11, 2018  
Our File No. EB-2017-0073

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2017-0073 – Sioux Lookout 2018 Rates**

We are counsel for the School Energy Coalition. Attached to this letter is our Notice of Intervention with respect to the above matter.

We note that SEC would normally not intervene in a rate case for this utility. While there are three schools served by the Applicant, and the impact on those schools of the Applicant's rates is material, SEC normally directs its limited resources toward other cases that affect more schools. However, this is the first utility to which the proposed Proportionate Review Approach is being applied as part of a pilot project, and thus has a much greater importance for customers of regulated entities around the province, in addition to the schools directly affected.

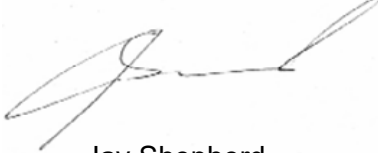
We also note that the Notice of Intervention includes the standard request for cost eligibility. SEC understands that the Registrar has determined that costs will not be available in this proceeding. SEC is including the request for cost eligibility to meet the technical requirements of the rules in the event that costs are allowed at some point during the proceeding. SEC is not currently requesting that the decision of the Registrar on costs be changed.

SEC has reviewed the Staff Report, and the Decision of the Registrar. In order to ensure that the record for this pilot proceeding is complete, SEC hereby requests that the following be placed on the record in this proceeding:

1. All communications between the Board, including OEB Staff, and the Applicant from the period from the filing date of August 28, 2017, until the date of the Decision of the Registrar, March 29, 2018. The interrogatories and responses are on the record already, but it is apparent (e.g. page 4 of the Decision) that there were other communications as well. We believe it is important that all communications be on the public record.
2. All communications, if any, between the Registrar and OEB Staff relating to this Application at any time prior to March 29, 2018, including communications prior to August 28, 2018.
3. A live copy of the Initial Triage Model, including live populated copies of the Comprehensive Performance Assessment Model, the quantitative assessment of Application metrics, and the quantitative assessment of the supporting evidence. While we are aware that the models used in a limited way in this proceeding, the Registrar clearly relied on them in her determination, particularly at page 10 of the Decision, and therefore they should form part of the record.
4. If a formal decision has been made by the Board delegating authority from this rate case to the Registrar, a copy of that formal decision.
5. If any determination has been made under section 21(4) of the Act, whether by the Board or by the Registrar, a copy of that determination.
6. An explanation by the Board of the method of determining just and reasonable rates under the Proportionate Review Approach. In particular, it would be helpful for the Board or the Registrar to make clear whether the final decision in this matter will be made by the Registrar or by an adjudicative panel of Board members (i.e. has the Registrar been delegated with the procedural decision, or the entire proceeding?). In either case, it would be of value for the Board to explain the intended legal effect of the Registrar's full or partial determination with respect to just and reasonable rates on page 2 of the Decision.
7. An explanation by the Board of the process for gaining the consent of the Applicant to the use of the Proportionate Review Approach, and any process for gaining the consent of the affected customers to the use of that approach.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**



Jay Shepherd

cc: Wayne McNally, SEC (email)  
Interested Parties

**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 Sioux Lookout Hydro Inc. under Section 78 of the OEB Act to the Ontario Energy Board for an Order or Orders approving or fixing just and reasonable rates and other service charges for the distribution of electricity as of May 1, 2018.

**NOTICE OF INTERVENTION**

**OF THE**

**SCHOOL ENERGY COALITION**

1. The School Energy Coalition (“SEC”) applies for intervenor status in this proceeding.
1. SEC is a frequent intervenor in Board proceedings. Our current Annual Filing can be found on the Board’s website, here:  
  
<http://www.rds.oeb.ca/HPECMWebDrawer/Record/589545/File/document>
2. SEC understands that the Registrar has determined that the issues list will be limited, and that no costs will be allowed. If a decision is made to change the eligibility for costs, the School Energy Coalition intends to apply for recovery of its costs reasonably incurred in the course of its intervention in this matter. SEC has participated in many past natural gas and electricity proceedings in Ontario, including 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.

**Issues to be Addressed**

3. SEC’s intended participation will focus on the issues laid out by the Registrar in her decision of March 29, 2018, and any additional issues added at any time during the process that affect SEC’s members. SEC will also focus on ensuring that the record for this pilot of the Proportionate Review Approach is as complete as possible, and generally to represent the interests of school boards and their students in this process.

**The Intervenor's Intended Participation**

4. SEC intends to participate in any pre-hearing procedures, including interrogatories or technical conferences, and settlement conferences. SEC also intends to participate in any oral

hearing of this matter, and in written or oral submissions, as well as any other parts of the process that the Board should order from time to time.

**Nature of Hearing Requested**

5. SEC understands that a decision with respect to the nature of this hearing has already been made.

**Counsel/Representative**

6. SEC requests that a copy of all documents filed with the Board by each party to this proceeding be served on the intervenor, and on the intervenor's counsel, as follows:
  - a. School Energy Coalition: (electronic copies only)

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

Attn: Wayne McNally, SEC Coordinator  
Phone: 416 340-2540  
Fax: 416 340-7571  
Email: [wmcnally@opsba.org](mailto:wmcnally@opsba.org)

- b. SEC's counsel: (both electronic and paper copies)

**SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION**  
2200 Yonge Street, Suite 1302  
Toronto, Ontario, M4S 2C6

Attn: Jay Shepherd  
Phone: 416-804-2767  
Fax: 416-483-3305  
Email: [jay@shepherdrubenstein.com](mailto:jay@shepherdrubenstein.com)

with an electronic copy to:

Attn: Mark Rubenstein  
Phone: 647-483-0113  
Email: [mark@shepherdrubenstein.com](mailto:mark@shepherdrubenstein.com)

Respectfully submitted on behalf of the School Energy Coalition this April 11, 2018.

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Jay Shepherd  
Counsel for the School Energy Coalition