



From: Ontario Energy Board <webmaster@oeb.ca>
Sent: Monday, November 27, 2023 4:52 PM
To: Office of the Registrar <Registrar@oeb.ca>
Cc: tom.ladanyi <tom.ladanyi@rogers.com>
Subject: Intervention Form: EB-2023-0055 - Energy Probe Research Foundation

Intervention Form

Case Number:

EB-2023-0055

Intervenor Name:

Energy Probe Research Foundation

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/786117/File/document>

OEB Proceedings:

Granted Intervenor Status

EB-2021-0002

EB-2021-0110

EB-2021-0117

EB-2021-0243

EB-2021-0307

EB-2021-0318

EB-2022-0072

EB-2022-0076

EB-2022-0086

EB-2022-0094

EB-2022-0137

EB-2022-0157

EB-2022-0200

EB-2023-0072

EB-2023-0092

Denied intervenor status

EB-2023-0062

Issues:

Energy Probe supporters are customers of the applicant and will be affected by the proposed rate increase.

Policy Interests:

Energy Probe is opposed to cross subsidies. The applicant, WDI, is a virtual utility that receives all of its services from a non-regulated affiliate. Both the affiliate and WDI are wholly owned subsidiaries of the same holding company. Energy Probe is concerned that this corporate structure may result in cross-subsidies between regulated and unregulated businesses.

Hearings:

Energy Probe has no preference for a specific type of hearing.

Evidence:

No.

Coordination with Other Intervenors:

Energy Probe intends to co-ordinate with other intervenors to avoid any potential duplication where several intervenors ask same or similar interrogatories. Energy Probe intends to share drafts of interrogatories and submissions with other intervenors.

Cost Awards:

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in OEB proceedings would be very limited.

Energy Probe applies for recovery of its reasonably incurred costs in the course of its intervention in this proceeding. Energy Probe's supporters are customers of the Applicant and eligible for an award of costs according to section 3.03(a) of the Practice Direction. Energy Probe 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.

Language Preference:

No

Annual Filing of Frequent Intervenor

Intervenor Name:

Energy Probe Research Foundation

Mandate and Objectives:

Energy Probe Research Foundation, referred to as Energy Probe, is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. It has long been one of Canada's leading environmental and public policy research institutes, cited as one of the most effective organizations of its kind by The Canadian Encyclopedia.

Energy Probe has been recognized as the world's first free-market environmental organization and it remains Canada's only free-market environmental organization. It has four main goals: to provide the public, media, business, and government with information on resource-related issues, to promote sustainable resource use, to encourage individual responsibility and accountability; and to help Canada contribute to global justice and prosperity.

Energy Probe is unique among intervenors in that it argues for equitable rates, not just lower rates, and that it represents the plurality of consumers who are opposed to excessive rates and charges related to climate change mitigation. As Canada's only free-market environmental organization, Energy Probe argues that to protect the environment, property rights must be protected.

Unlike other intervenors, whose members expect them to argue for lower rates for their particular ratepayer class, Energy Probe's members expect it to argue for equitable rates that optimize results across all ratepayer classes, by eliminating cross subsidies among the various ratepayer classes. This approach – unique to Energy Probe among all intervenors before the Board – fulfills its mandates to promote individual responsibility and accountability as well as to inform all parties, the general public, business and government among them, in order to promote sustainable resource use.

While climate change may not be on the OEB's formal agenda, it is implicit in numerous regulatory interventions, and informs Energy Probe's perspective. The issues of accommodation on the electricity grid of distributed energy resources including electric vehicles, storage batteries and wind, solar and geothermal generation, or phasing out of natural gas, are climate-change related and the costs of their accommodation are often presented as the costs of mitigation of climate change on a cost is no object basis. Energy Probe represents the plurality of consumers who are opposed to

excessive rates and charges to mitigate the effects of climate change.

Provincial government has committed the Province of Ontario to transition away from oil and gas to other sources of energy. To replace this energy Ontario will need another source of energy that is as reliable as oil and gas and can be provided in large quantities. Energy Probe believes that nuclear energy is the only source of energy that can meet that need. Ontario should ramp up investment in nuclear energy so that there is sufficient energy to replace oil and gas that is now used for transportation, home heating, water heating and industrial uses. It would be reckless to move away from oil and gas until there

Energy Probe is Canada's only free-market environmental organization. Energy Probe represents people who believe that protection of property rights is an essential element in the protection of the environment. Property Rights in the Defence of Nature, Energy Probe's book on the consequences of degrading property rights, is recognized as an influential on the subject.

As for Energy Probe representing a policy interest or perspective relevant to the Board's mandate, it has often been the originator of major policies that became Board policy. For example, Energy Probe was initially alone in arguing, successfully, that natural gas deregulation should apply to residential customers. Energy Probe was alone for several years in recommending that the Board adopt incentive regulation and decoupling. It alone made repeated submissions that residential customers be offered the choice of fixed contracts rather than being subject to the fluctuations of the marketplace. Energy Probe promoted time of use pricing long before it was adopted and, of course, it was Energy Probe that argued that the power sector be subject to full regulation, rather than mere review. Although in several cases Energy Probe offered perspectives that the Board did not find persuasive, nevertheless, by challenging the prevailing consensus, Energy Probe believes that the Board's ultimate decisions were better informed and represented a better compromise among the competing perspectives. Apart from these significant issues, Energy Probe also initiated discussions that led to numerous minor reforms. It is fair to say that Energy Probe initiated more significant regulatory policies in the Ontario gas and electricity sector than any other party.

Membership of the Intervenor and Constituency Represented:

The membership of Energy Probe consists of its Board of Directors and its employees, plus former members of the Board of Directors and former employees for an additional five years.

Energy Probe draws its support from citizens of all political parties, according to past polls, and they tend to be well educated, according to Alexa metrics. Its supporters' main interest lies in electricity and gas rates, followed by other economic concerns as well as environmental and safety concerns. Some 4,000 supporters subscribe to its newsletters and many more follow Energy Probe through its blogs and regular articles in the mainstream press.

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in OEB proceedings would be very limited.

Programs or Activities Carried Out by the Intervenor:

To inform public opinion, Energy Probe has been a founder of numerous organizations: locally, Ecology House and Lake Ontario Water Keeper; nationally, Friends of the Earth Canada; and internationally, the World Rainforest Movement and the International Rivers Network. Energy Probe has several distinct divisions including Probe International, Environment Probe, Consumer Policy Institute, and most recently Rights Probe, headed by a professor of law at Queen's University. Energy Probe provides information on energy issues to the public through media appearances, through presentations to high school and university students, through contact with consumers with concerns over energy rates, through its speeches to community organizations concerned with wind projects or transmission lines, and through studies on the power sector by its board members and staff.

Governance Structure:

Energy Probe first took form in 1970 as the Energy Team of Pollution Probe. In 1980, Energy Probe separated from Pollution Probe and became incorporated as the Energy Probe Research Foundation.

It is governed by a Board of Directors who appoint the President and members of the Management Team. Board of Directors and the Management Team hold regular meetings to discuss and approve activities, receive reports, and review and approve financial statements. Representatives submit written reports of regulatory activities to the Board of Directors and Management and receive verbal instructions during meetings or by e-mail.

Representatives:

Tom Ladanyi

tom.ladanyi@rogers.com

Patricia Adams

patriciaadams@probeinternational.org