

MANITOBA) Order No. 34/00
)
THE PUBLIC UTILITIES BOARD ACT) February 28, 2000

BEFORE: G. D. Forrest, Chairman
E. Edmondson, Member

**APPLICATIONS BY THE CITY OF WINNIPEG/WINNIPEG
HYDRO, CONSUMERS' ASSOCIATION OF CANADA
(MANITOBA) INC./MANITOBA SOCIETY OF SENIORS,
ENBRIDGE PIPELINES INC., GENERAL SCRAP
PARTNERSHIP, MANITOBA INDUSTRIAL POWER USERS
GROUP, SKI AGASSIZ LTD. ET AL, SKI ASESSIPPI
LIMITED PARTNERSHIP AND TRANSCANADA ENERGY LTD.
TO INTERVENE IN AN APPLICATION BY MANITOBA
HYDRO REGARDING THE SURPLUS ENERGY PROGRAM AND
THE LIMITED USE BILLING DEMAND RATE**

The Public Utilities Board of Manitoba (the Board) received an application for intervenor status from the City of Winnipeg/Winnipeg Hydro (CITY), Consumers Association of Canada (Manitoba) Inc./Manitoba Society of Seniors (CAC/MSOS), Enbridge Pipelines Inc. (ENBRIDGE), General Scrap Partnership (GSP), Manitoba Industrial Power Users Group (MIPUG), Ski Agassiz Ltd. et al (SKI AGASSIZ ET AL), Ski Aseissippi Limited Partnership (SKI ASESSIPPI) and TransCanada Energy Ltd. (TRANSCANADA), the "Applicants", to intervene at the public hearing to consider the Application by Manitoba Hydro regarding the Surplus Energy Program and the Limited Use Billing Demand Rate.

This Order is issued pursuant to Rule 26 of the Board's Draft Rules of Practice and Procedure.

City of Winnipeg/Winnipeg Hydro

CITY by way of letter dated February 23, 2000 and completed Intervenor Request Form received February 24, 2000 requested intervenor status. The Applicant noted that it was intervening as "we are potentially affected by the proposed applications".

The Applicant noted that it would be appearing throughout the hearing, testing evidence and presenting final argument. The Applicant would not be providing evidence, calling witnesses or applying for costs.

Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors

CAC/MSOS by way of letter dated February 17, 2000 and completed Intervenor Request Form requested intervenor status. The Applicant noted that it was intervening "to assess the merits of the Surplus Energy Program and the application with respect to the Limited Use Billing Demand as they affect the interests of residential consumers and the health of the Corporation as a whole."

The Applicant noted its intention to appear throughout the hearing, participate in the testing of evidence and present final argument. The Applicant was not certain as to whether it would be calling a witness. The Applicant intends to apply for costs.

Enbridge Pipelines Inc.

Enbridge Pipelines Inc. by way of letter dated February 18, 2000 and completed Intervenor Request Form requested intervenor status. The Application noted it was intervening as "Enbridge is an industrial customer with a significant load in Manitoba served by Manitoba Hydro; Enbridge is currently on the ISE rate schedule for part of its load and is considering the new SEP program to replace this rate schedule. As such, it has an interest in these proceedings."

As the Applicant had not yet received a copy of the Application it was unable to make a precise determination as to the extent of its participation in the hearing and wished to reserve the right to appear at the hearing and to participate fully therein.

The Applicant also requested that the deadline for filing information be extended from February 23 to March 9, 2000.

General Scrap Partnership

General Scrap Partnership by way of completed Intervenor Request Form received February 18, 2000 requested intervenor status. The Applicant noted that it was intervening "to ensure qualifying rules do not discriminate, to ensure that those businesses on verge of qualifying are not encouraged to behave irresponsibly (i.e. waste hydro) to qualify, to ensure that power factor is a factor in qualifying, to understand what social affects may

be experienced by encouraging business to operate at night, to ensure that Manitoba business and taxpayers are the beneficiaries of the program.”

The Applicant noted its intention to appear throughout the hearing. The Applicant does not intend to call a witness, apply for costs or produce evidence. The Applicant will be testing evidence and presenting argument.

Manitoba Industrial Power Users Group

Manitoba Industrial Power Users Group by way of completed Intervenor Request Form received February 18, 2000 requested intervenor status. The Applicant noted that it was intervening “to examine both the proposed Surplus Energy Program and the Limited Use Billing Demand applications and any impacts either may have on the current industrial alternative rates participants and Manitoba ratepayers.”

The Applicant noted its intention to appear throughout the hearing, participate in the production of evidence, participate in the testing of evidence and present final argument. The Applicant would not be applying for costs and had not determined if it would be calling a witness or presenting evidence.

Ski Agassiz Ltd. et al

Ski Agassiz Ltd. Holiday Mountain, Springhill Winter Sports Park and other seasonal consumers of Hydro Services (SKI AGASSIZ ET AL) by way of letter dated February 17, 2000 and completed Intervenor Request Form

requested intervenor status. The Applicant noted that it was intervening "to review the Application by Manitoba Hydro regarding limited use of billing demand rate."

The Applicant noted that it would be appearing throughout the hearing, would possibly be producing evidence, would be testing evidence, possibly calling witnesses and presenting final argument. The Applicant indicated that it would not be applying for costs.

Ski Asessippi Limited Partnership

Ski Asessippi Limited Partnership by way of completed Intervenor Request Form received February 18, 2000 requested intervenor status. The Applicant noted that it was intervening to support Manitoba Hydro with respect to the reduction of demand billing and to encourage the elimination of demand billing.

The Applicant would not be appearing throughout the hearing, testing evidence, presenting evidence, calling any witnesses or applying for costs. The Applicant indicated that they would be participating in the production of evidence.

TransCanada Energy Ltd.

TransCanada Energy Ltd. by way of letter dated February 18, 2000 and completed Intervenor Request Form requested intervenor status. The Applicant noted that "TransCanada presently purchases energy from Manitoba Hydro

under the Industrial Surplus Energy (ISE) Program. Accordingly, any changes to the ISE Program directly affects TransCanada and its business operations and opportunities."

The Applicant indicates that it does intend to be an active participant in these proceedings, by testing evidence and presenting argument. It would like to reserve its right to file evidence and does not intend on applying for costs.

The Applicant also requested that the deadline for filing information be extended from February 23 to March 9, 2000.

Board Findings

The Board having considered the applications will grant intervenor status to the Applicants. The Board would ask the parties to familiarize themselves with the rules of the Board and the timetable.

The Board also notes that included in their Application for intervenor status, Enbridge Pipelines Inc. and TransCanada Energy requested an extension of time by which to file information requests to March 9, 2000. The Board has reviewed their request. The Board also notes that responses to information requests by Manitoba Hydro are due by March 8th. The Board under separate Order has extended the Dual Fuel Heating, Industrial Surplus Energy and Surplus Energy Service to Self-Generators rate programs beyond March 31, 2000 on an indefinite basis. The Surplus Energy Program is intended to replace these rate programs. Accordingly, the Board believes that some relief has been granted by this extension and accordingly, is prepared to

grant the extension for all parties. An amended Timetable is attached. The matter of Surplus Energy Program remains joined with Manitoba Hydro's Application for the Limited Use Billing Demand rate.

The Timetable also allows for rebuttal to be heard orally. While written rebuttal is the preferred method, the Board has had a request for this opportunity and the Board will grant the request.

IT IS THEREFORE ORDERED THAT:

1. Intervenor status BE AND IS HEREBY GRANTED to the City of Winnipeg/Winnipeg Hydro.
2. Intervenor status BE AND IS HEREBY GRANTED to Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors.
3. Intervenor status BE AND IS HEREBY GRANTED to Enbridge Pipelines Inc.
4. Intervenor status BE AND IS HEREBY GRANTED to General Scrap Partnership.
5. Intervenor status BE AND IS HEREBY GRANTED to Manitoba Industrial Power Users Group.
6. Intervenor status BE AND IS HEREBY GRANTED to Ski Agassiz Ltd. et al.
7. Intervenor status BE AND IS HEREBY GRANTED to Ski Asessippi Limited Partnership.

8. Intervenor status BE AND IS HEREBY GRANTED to TransCanada Energy Ltd.

THE PUBLIC UTILITIES BOARD

Chairman

Secretary