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Me Véronique Dubois

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RE: Demande d'approbation du plan d'approvisionnement et de modification
des Conditions de service et Tarif de Société en commandite Gaz Métro à
compter du 1^{er} octobre 2016
Régie de l'énergie File: R-3970-2016
Application by Summitt Energy Québec LP / Énergie Summitt Québec
S.E.C. ("**Summitt**") for Intervenor Status
Our file: SUMENE-12

Dear Me Dubois,

Further to the schedule established for the above-captioned file on May 20, 2016 by the Régie de l'énergie ("**Régie**"), we hereby provide the reply of Summitt to the comments appearing on pages 3 and 4 of the letter filed by Société en commandite Gaz Métro ("**Gaz Métro**") on May 31, 2016.

Gaz Métro commented that Summitt may intervene in the above-captioned file to defend its own interests, but not to represent the interests of its clients, which would already be represented by other intervenors. Although Summitt does not purport to represent any other party for the purposes of its intervention, its interests are consistent with the interests of other fixed-price suppliers of natural gas in Quebec. Furthermore, its intervention will provide a distinct and informed point of view regarding the "*mesures favorisant l'offre de fourniture à prix fixe par les fournisseurs*"¹ and the public interest is served by having that point of view available to the Régie. No other intervenor proposes to represent the interests of fixed-price suppliers of natural gas, nor to address the

¹ File R-3510-2003, SCGM-11, Document 5, cited by Gaz Métro at page 4 of Gaz Métro-11, Document 2 in the above-captioned file.

proposal made in Gaz Métro-11, Document 2, titled *Demande de modification du processus d'adhésion dans une entente de fourniture à prix fixe* (the “**Proposal**”). It is relevant that when the Régie approved the fixed-price natural gas supply program in file R-3510-2003, it had the benefit of intervention by private suppliers of natural gas, which were invited by Gaz Métro to participate in the consultation process. The Régie would now benefit similarly from the intervention of Summitt with respect to the changes to the program suggested in the Proposal.

Gaz Métro also commented that other topics such as its verification calls are not submitted to or within the jurisdiction of the Régie. These verification calls must be relevant to the above-captioned file, because they are specifically referred to in support of the application of Gaz Métro at page 10 of the Proposal. Considering that the Régie’s approval of the supply of natural gas by fixed-price contract was based in part on a detailed enrollment procedure that was submitted to it,² the Régie clearly has jurisdiction to examine any change to such procedure.

Finally, Gaz Métro states that Summitt would not be entitled to claim any costs for representing its private interests. However, participation costs have been granted to private intervenors where their participation is useful to the public interest.³ Summitt’s intervention will be useful to the public interest in that it will help inform the Régie as to the fixed-price natural gas industry and the effect that the modifications proposed by Gaz Métro will have on the fixed price supply of natural gas in Quebec, from the point of view of a supplier. No other proposed intervenor claims to have a similar experience or point of view as Summitt.

Respectfully submitted,

FISHMAN FLANZ MELAND PAQUIN LLP



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c.c. Société en commandite Gaz Métro
a/s Me Hugo Sigouin-Plasse – par courriel (hsigouin-plasse@gazmetro.com)

² File R-3510-2003, SCGM-11, Document 5, pages 18-20, cited by the Régie in decision D-2003-180, p. 29.

³ See, for example, *Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec et Hydro-Québec*, 2014 CanLII 30252, D-2014-096, *Société en commandite Gaz Métro et Association des consommateurs industriels de gaz (ACIG)*, 2011 CanLII 100149, D-2011-108 and File R-3510-2003, decision D-2003-215, in which the Régie noted the usefulness of the participation of intervenors Énergie Brookfield Marketing s.e.c., Société d'énergie Questerre and Direct Energy Marketing Limited, respectively, and granted costs accordingly.