

C A N A D A

PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL

RÉGIE DE L'ÉNERGIE

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No: R-4008-2017

**ÉNERGIR, L.P.**

*Applicant*

and

**GCP Énergies Inc.**

*Intervenor*

and

**Interested persons and intervenors**

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**ARGUMENTS FROM INTERVENOR GCP ÉNERGIES INC.  
HEARINGS ON SEPTEMBER 4 AND 6, 2016**

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GCP ÉNERGIES INC. RESPECTFULLY SUBMITS THE FOLLOWING:

1. In its decision D-2018-109 and August 20, 2018 letter, the Régie indicated that it wished to hear, on a preliminary basis, the views of the participants in this matter to determine whether it is appropriate to examine the establishment of a feed-in tariff (“FIT”).
2. GCP Énergies Inc. (“GCP”) therefore understands that at this preliminary stage, the Régie will solely consider the appropriateness of examining the establishment of an FIT, and not the appropriateness of the establishment of an FIT per se.
3. GCP therefore reserves the right to submit, in due time, relevant evidence and representations as to the grounds for Énergir’s application to implement an FIT for the acquisition of renewable natural gas (“RNG”) by Énergir.
4. As for the initial matter raised by the Régie, GCP submits that the examination of the establishment of an FIT is premature, given that there is no regulatory framework in effect regarding the quantity of RNG to be delivered by distributors and the terms and conditions for such deliveries.

5. In its August 22, 2018 arguments, Énergir submits that the existence of the draft *Regulation respecting the quantity of renewable natural gas to be delivered by a distributor*, published in the *Gazette officielle du Québec* on August 22, 2018, is sufficient to establish a new regulatory framework that should be taken into consideration by the Régie during its examination of the matter raised by the Application.
6. However, as highlighted by the Régie in its decision D-2018-052 rendered on May 8, 2018, the subjects submitted to the Régie must be examined according to the regulatory framework in place at the time of the examination.
7. The existence of a draft regulation is not sufficient to alter this procedure.
8. GCP therefore submits that the examination of Énergir's application should be suspended until the regulatory framework is adopted.
9. Furthermore, GCP has no specific representation to submit in connection with classes of consumers, the second issue raised in its decision D-2018-109 and August 20, 2018 letter.

**RESPECTFULLY SUBMITTED**

**MONTRÉAL**, August 23, 2018

[signed]

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**WOODS LLP**  
*Attorneys for Intervenor GCP Énergies Inc.*