

CANADA

RÉGIE DE L'ÉNERGIE

PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

ÉNERGIR, s.e.c.

Applicant

and

N°: R-4008-2017

SUMMITT ENERGY QUÉBEC LP /
ÉNERGIE SUMMITT QUÉBEC S.E.C., a
limited partnership having its registered
address at 100 Milverton Drive, Suite 608
Mississauga, Ontario, L5R 4H1

Proposed Intervenor

APPLICATION FOR INTERVENOR STATUS
(Rules 4, 15, 16 of the *Rules of Procedure of the Régie de l'énergie*)

IN SUPPORT OF ITS APPLICATION, THE PROPOSED INTERVENOR STATES:

1. Proposed Intervenor Summitt Energy Québec LP / Énergie Summitt Québec S.E.C. ("**Summitt Energy**") is a partnership formed pursuant to the laws of Ontario that enters into natural gas and electricity contracts.
2. Summitt Energy and its affiliates form a group that operates in Quebec, Ontario and British Columbia, as well as in several states in the United States, in particular New York, New Jersey, Maryland, Massachusetts, California, Pennsylvania, Texas, Illinois and Ohio.
3. In Quebec, Summitt Energy currently supplies natural gas to more than 1000 commercial customers, pursuant to the fixed price supply service established by the September 26, 2003 decision of the Régie de l'Énergie (the "**Régie**") in file R-3510-2003.
4. As noted by the Régie at paragraph 44 of its decision D-2018-052 (the "**Procedural Decision**"), the determination by the Régie of parameters and characteristics of the supply of renewable natural gas ("**RNG**") by Énergir could have an impact on third-party supply of traditional natural gas ("**TNG**") and RNG, such that Summitt Energy was authorized to participate in the hearing relating thereto.
5. This application is submitted pursuant to the Régie's letter dated June 1, 2018, calling upon all interested participants prepared to address the issues raised at paragraphs 30 to 42 of the Procedural Decision to submit an application for intervention by June 15, 2018.
6. In the Procedural Decision, the Régie held that the topics to be examined at the hearing could include:
 - a. Para. 34: "*le traitement du **surcoût** que les clients participants sont prêts à assumer pour l'achat de GNR*";

- b. Para. 37: “*la méthode de calcul du prix d’acquisition du GNR aux fins de l’application du tarif de GNR; la fonctionnalisation des coûts encourus par Énergir reliés à l’offre de GNR; ... les modifications aux conditions de service reliées à l’offre de GNR; les composantes et le cadre contractuel des contrats d’approvisionnement de GNR*”;
 - c. Para. 39: “*les diverses options de tarifs et de conditions de service relatives à la fourniture, au transport et à la livraison par lesquelles le GNR peut être offert à la clientèle d’Énergir. Par exemple :*
 - *fourniture GNR par Énergir de type « tarif GNR » selon la proposition d’Énergir;*
 - *fourniture GNR de type « prix fixes »;*
 - *fourniture de type « Achat direct par la clientèle » où le client peut s’approvisionner:*
 - *directement auprès d’un site de production,*
 - *par un courtier reconnu,*
 - *par une filiale d’Énergir dans des activités non réglementées.”;*
 - d. Para. 41: “*la détermination des éléments de coûts qui devraient être pris en compte dans le prix de fourniture du GNR; la réciprocité des conditions de service entre un service de fourniture de GNR offert par un courtier et le service de fourniture de GNR offert par le Distributeur*”;
 - e. Para. 42: “*la meilleure option ou le meilleur portefeuille d’options de tarifs et de conditions de service relatifs à la fourniture, au transport et à la livraison par lesquels le GNR peut être offert à la clientèle d’Énergir; les éléments ou les caractéristiques du tarif GNR proposé qui permettent d’assurer le respect de la Loi; les éléments de coûts à être pris en compte pour le prix de fourniture du GNR, les éléments de réciprocité entre un service offert par un courtier et celui offert par Énergir, ainsi que les conditions d’admissibilité des clients au tarif GNR*”;
7. The intervention of Summitt Energy in the present file would be limited to the above-mentioned matters, as the decision of the Régie relating thereto will directly and significantly impact the ability of customers in Quebec to obtain TNG and RNG from suppliers such as Summitt Energy.
 8. In particular, Summitt Energy seeks to ensure that the prices, tariffs, options and conditions of service put in place for the supply of RNG in Quebec:
 - a. allow for cost-effective supply of RNG by suppliers such as Summitt Energy;
 - b. create a level-playing field as between Énergir and other suppliers;
 - c. do not have unintended or unfair consequences on the supply of TNG; and
 - d. do not discourage suppliers from providing RNG at a fixed price or otherwise.
 9. Summitt Energy’s point of view in the present file, grounded in its experience as a supplier of fixed price gas in Quebec as well as the ongoing operations of its affiliates in Ontario, British Columbia and several markets in the United States, can help inform the Régie as to the effect of various solutions on suppliers and customers of natural gas in Quebec.
 10. Summitt Energy wishes to reserve its right to actively participate in the present proceedings solely in respect of the matters mentioned above, such as by requesting information,

participating in working groups and other exchanges, presenting evidence, cross-examining witnesses and making written submissions and arguments.

11. In accordance with Article 36 of the *Act respecting the Régie de l'énergie*, Summitt Energy intends to request the reimbursement of certain costs it will incur for its participation as an intervener in this file, and files concurrently with the present application its participation budget for the consideration of the above-mentioned matters.
12. Summitt Energy asks that any communication with it in the present file be sent to its attorneys and copied to its internal representatives at the following contact information:

M^c Jason Dolman
FISHMAN FLANZ MELAND PAQUIN LLP
1250 René-Lévesque Boulevard West, Suite 4100
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Mr. Jeff Donnelly
Director, Regulatory Affairs & Compliance
SUMMITT ENERGY QUÉBEC LP
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Mississauga, Ontario, L5R 4H1
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E-mail: jdonnelly@summittenergy.ca

13. Summitt Energy wishes to obtain English translation of certain evidence in the present file, such as Gaz Métro – 1, Document 1, as well as simultaneous interpretation at the hearing, and seeks clarification from the Régie as to the arrangements to be made and the treatment of the costs thereof.

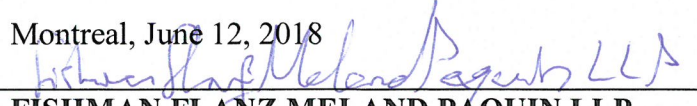
FOR THESE REASONS, SUMMITT ENERGY RESPECTFULLY ASKS THE RÉGIE DE L'ÉNERGIE TO:

GRANT Summitt Energy's Application for Intervenor Status;

GRANT intervenor status to Summitt Energy in the present file; and

DETERMINE the manner in which English translation and interpretation may be arranged in the present file and the options for addressing the costs thereof.

Montreal, June 12, 2018



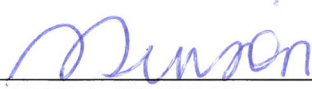
FISHMAN FLANZ MELAND PAQUIN LLP
Attorneys for Intervenor Summitt Energy Québec LP

AFFIDAVIT

I, TAMARA SINSON, having my place of business at 100 Milverton Drive, Suite 608, in Mississauga, Province of Ontario, L5R 4H1, hereby solemnly affirm:


1. I am Manager of Regulatory Affairs & Compliance for Summitt Energy Quebec LP / Énergie Summitt Québec S.E.C.; and
2. I have read the present *Application for Intervenor Status* and all the facts alleged therein are true.

AND I HAVE SIGNED:



TAMARA SINSON

SOLEMNLY AFFIRMED BEFORE ME
in the City of Mississauga,
this 12 day of June, 2018



Commissioner for oaths J. Donnelly
LSUC P07465

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SUMMITT ENERGY QUÉBEC LP/
ÉNERGIE SUMMITT QUÉBEC S.E.C.

Proposed Intervenor

APPLICATION FOR INTERVENOR
STATUS and AFFIDAVIT

ORIGINAL

Pour toutes notifications/for all notifications:

notification@ffmp.ca

avec copie à/with copy to:

Me Jason Dolman

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Me Nicolas Brochu

nbrochu@ffmp.ca

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