



By Electronic Filing and By E-mail

February 19, 2009

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
27th floor
Toronto ON M4P 1E4

Dear Ms Walli,

Union Gas Limited 2009 Rates

Board File No.: EB-2008-0220

Our File No.: 339583-000020

In our capacity as solicitors for Canadian Manufacturers & Exporters ("CME"), we have reviewed the Updated Draft Rate Order for 2009 Rates circulated by Union Gas Limited ("Union") on February 12, 2009.

The Updated Draft Rate Order circulated on February 12, 2009, eliminates the \$1.3M rate reduction effective January 1, 2009, which was reflected in the Draft Rate Order circulated on February 5, 2009.

We have compared the documents attached as Appendix G in the Updated Draft Rate Order to those attached to Appendix G in the initial draft and are satisfied that Union has correctly adjusted the Schedules to eliminate the \$1.3M reduction to rates attributable to the proposed redemption of preference shares which Union decided not to redeem.

A comparison of Schedule 8 of the Working Papers forming part of Appendix G in the Draft Rate Order circulated on February 5, 2009, to the same Schedule appearing in the Updated Draft Rate Order circulated on February 12, 2009, reveals that the lower end of the range of Percentage Changes in the Average Unit Price for each of the rate classes of between 0.4%, for Storage and Transportation Distributor Service under Rate T3¹, and 3.4%, for Special Large Volume Contract Delivery Service under Rate M7², increases in the Updated Draft Rate Order to a range of between 0.6% and 3.8% for each of those classes as shown on lines 16 and 11 of page 2 of Schedule 8 of the Working Papers attached at Appendix G of the Updated Draft Rate Order.

¹ See line 16 on page 2 of Schedule 8 of the Working Papers attached to Appendix G

² See line 11 on page 2 of Schedule 8 of the Working Papers attached at Appendix G

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Based on our review of these materials, we believe that Union's Updated Draft Rate Order correctly reflects the Board's EB-2008-0304 Decision and its Decision and Order in EB-2009-0022 modifying the third condition of its EB-2008-0304 Decision.

We respectfully request that our client be awarded its reasonably incurred costs of reviewing and commenting upon Union's Draft Rate Orders. If this request is granted, then we respectfully request that the Assessment Officer add 1.4 hours of my time to the Cost Claim previously submitted and thereby increase the Cost Claim previously submitted by an amount of \$462.00 for fees plus GST of \$23.10, so that the total Cost Claim requested becomes \$13,377.00, as follows:

Total Hours:		Hourly Rate	Sub-Total	GST	TOTAL
PCT	25.4 + 1.4 hrs = 26.8 hrs	x \$330.00 =	8,844.00	442.20	
VJD	16.3 hrs	x \$230.00 =	3,749.00	187.45	
			\$12,593.00	\$ 629.65	
				GST	
Total Disbursements:			147.00	7.35	

TOTAL FEES:	12,593.00
TOTAL DISBURSEMENTS:	147.00
TOTAL GST:	637.00
TOTAL COST CLAIM:	\$13,377.00

Please let me know whether this letter will suffice to support an amendment to our previously submitted Cost Claim. If not, then we will prepare and submit a Supplementary Cost Claim covering the additional 1.4 hours.

Yours very truly,



Peter C.P. Thompson, Q.C.

PCT\slc

c. Chris Ripley (Union Gas Limited)
Interested Parties EB-2008-0220
Paul Clipsham (CME)

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