



March 26, 2009

Via E-Mail and Courier

Kirsten Walli
Board Secretary
Ontario Energy Board
PO Box 2319
27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

Re: Written Comments of Direct Energy on Board file No.: EB-20080280

Thank you for your letter dated February 11, 2009 inviting written comments from interested parties regarding the draft filing guidelines for the pre-approval of long-term natural gas supply and/or upstream transportation contracts ("LTC filing guidelines").

Direct Energy (DE) would like to commend Board Staff on these guidelines and express agreement with Board findings. DE would however suggest that the Board consider including some additional clarity in the guidelines. Firstly, the final working versions of the agreements between the utilities and third parties should be submitted for stakeholder review, prior to Board approval. Secondly, the term "Long Term Contract" should be clearly defined by the Board as any contract greater than one year. These clarifications would ensure utilities are aware of all filing requirements and provides clear direction as to the circumstances under which utilities must submit an LTC Application.

Finally, DE would like to reiterate our position that long term contracting is not required by the utilities for gas supply, and that utilities should continue with their current practice of purchasing on a monthly index basis. DE therefore suggests that any references to the long term contracting of natural gas supply be removed from the filing guidelines.

DE would like to thank the Board for this opportunity to comment and look forward to the issuance of the final LTC filing guidelines.

Yours faithfully

Original signed by

Ric Forster
Director
Government & Regulatory Affairs
Direct Energy Marketing Limited