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March 30, 2009

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Via Electronic Filing

Attention: Kirsten Walli, Board Secretary
Ontario Energy Board
PO Box 2319
2300 Yonge St.
Toronto, ON M4P 1E4

Dear Madam Secretary:

**RE: GAPLO-Union (Dawn Gateway) / CAPLA
Union Gas Letter to Board dated March 27, 2009
Union Gas Application for Leave to Sell Natural Gas Pipeline
EB-2008-0411**

We are writing with respect to the letter filed by Union Gas on March 27, 2009 in this proceeding. While it is not GAPLO-Union's intention to impede the proper exchange of submissions regarding the Board's draft issues list, we note that Union Gas' latest letter stands as a reply to the reply submissions of GAPLO-Union and FRPO. The Board's direction on additional submissions dated March 24, 2009, which responded directly to a request by Union Gas to make additional submissions, specifically provided that parties could reply no later than Friday, March 27, 2009 to submissions filed by the deadline of March 26, 2009. There was no provision for additional submissions in reply to reply submissions filed on March 27, 2009.

While we will not ask the Board to strike Union Gas' March 27, 2009 letter from the record, we do wish to express our concern that the future exchange of submissions in this proceeding does not become an unchecked back and forth where one party improperly adds the final word where no party was provided that advantage by the Board or its Rules.

Yours very truly,

COHEN HIGHLEY LLP

A handwritten signature in black ink that reads "John D. Goudy". The signature is written in a cursive style with a large, stylized initial "J" and "D".

John D. Goudy

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