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May 25, 2009

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700
Toronto, Ontario, M4P 1E4

Dear Ms. Walli:

Re: EB-2008-0052 – Notice of Proposal to Make a Rule – Storage and Transportation Access Rule (“STAR”) – BOMA and LPMA Comments on Proposed Rule

These comments are provided on behalf of the Building Owners and Managers Association of the Greater Toronto Area (“BOMA”) and the London Property Management Association (“LPMA”). BOMA & LPMA have reviewed the Proposed Storage Transportation and Access Rule (“STAR”), the discussion related to the Board’s Policy and Rationale as well as a number stakeholder comments on specific issues, as referenced by the Board in its April 9, 2009 letter.

Overall, BOMA & LPMA believe that the Board’s Proposed Storage Transportation and Access Rule will ensure the non-discriminatory access to transportation services for shippers and storage companies and support more transparent markets.

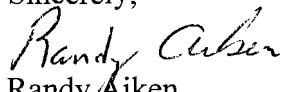
While many of the Board’s policies are already in place at some of the natural gas transmitters, integrated utilities and storage companies, the Proposed STAR will put all the market participants on a level playing field. Some of the Board’s policies will require additional information to be provided to the market, which should help to make the market more transparent and ensure fair treatment to all parties.

Most of the Board's policies are similar to the submissions made by BOMA & LPMA in their September 5, 2008 comments on the Staff Discussion Paper. As a result, further comments are generally not required.

BOMA & LPMA do provide comments on one specific issue. In the case of Union, the Board has determined that storage capacity and withdrawal deliverability reserved for in-franchise use will also be reported on an aggregate basis as a separate internal storage customer identified as "In-franchise Customers". A review of Section 4.2.4 of the Proposed STAR reveals that the information for the Index of Customers includes maximum storage quantity and maximum daily withdrawal quantity. Both of these are referenced in the Board's Policy and Rationale. However, there is a third component identified in Section 4.2.4, that being the maximum daily injection quantity. This parameter is not referenced in the Board's Policy and Rationale. BOMA & LPMA submit that this information should be provided as part of the "In-franchise Customers" component of the Index of Customers.

In the September 5, 2008 comments on the Staff Discussion Paper, BOMA & LPMA indicated that the Board may wish to consider splitting this "In-franchise Customer" into two reporting segments – storage allocated to direct purchase in-franchise customers and storage allocated to system supply customers. This reason for this reporting based on this split is that Union does not have control over the space, withdrawal and injection parameters used by the direct purchase customers in aggregate. They do, however, have direct control over the space, withdrawals and injections allocated to system supply customers. BOMA & LPMA submit that the Board should consider requiring the inclusion of "In-franchise Customers – Direct Purchase" and "In-franchise Customers – System Supply" in the Index of Customers for Union. This information would provide the market with more transparency in who controls, or does not control significant amounts of storage.

Sincerely,


Randy Aiken
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