



July 3, 2009

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

Dear Ms. Walli:

**Re: EB-2009-0154 – Notice of Intervention and Request for Cost Eligibility
Determination for the Building Owners and Managers Association of the Greater
Toronto Area – Enbridge Gas Distribution Inc. 2010 Natural Gas Demand Side
Management Plan**

This letter is in response to the Board's June 25, 2009 Notice of Application and Written Hearing for Enbridge Gas Distribution Inc.'s 2010 Natural Gas Demand Side Management Plan (EB-2009-0154). Two paper copies have been provided to the Board and an electronic version has been filed through the Board's web portal at www.errr.oeb.gov.on.ca.

Statement of Interest

The Building Owners and Managers Association of the Greater Toronto Area ("BOMA Toronto") is an international organization of 18,000 commercial real estate professionals. BOMA Toronto, with a network of over 800 members, represents the association in the Greater Toronto area. BOMA Toronto has consistently represented the voice of large commercial energy consumers in Ontario. Our volunteer Strategic Energy Committee operates to develop policy and solicit input from our broader membership on energy matters affecting them. This structure provides for a robust and inclusive representation of the views of large commercial customers.

BOMA Toronto represents more than 350 companies serving the commercial real estate market. Member companies manage over 150 million square feet of industrial, commercial and institutional properties throughout the Greater Toronto Area and beyond.

BOMA Toronto members receive regulated natural gas service from Enbridge Gas Distribution Inc. BOMA Toronto wishes to intervene because the Board's decision in this proceeding may have an impact on the BOMA members that receive regulated natural gas distribution services from Enbridge. Because of the issues that are or may be raised, the Board's decision in this proceeding may have an effect on the rates paid for regulated services taken by the BOMA members.

Cost Eligibility

BOMA Toronto intends to seek an award of costs and requests a determination of its eligibility for a cost award in this process. BOMA Toronto is a not for profit entity. It undertakes to serve its members utilizing volunteer committee work to the greatest extent possible. However, participating in more substantive proceedings, such as that involved here, requires us to engage outside consultants, the cost of which are not included in the operating budget for the organization.

As indicated above, BOMA Toronto is comprised of commercial customers of Enbridge Gas Distribution Inc. that take regulated services from Enbridge. Its members have a substantial interest in these proceedings, including all issues that affect rates and services available to them.

The Board's cost eligibility criteria, found in Section 3 of the Practice Directions on Cost Awards includes a number of criteria related to BOMA Toronto. Specifically, Section 3.03 states that a party is eligible to apply for a cost award where the party primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services. As indicated above, BOMA Toronto is intervening on behalf of its members which are consumers (i.e. ratepayers) in relation to regulated services provided by Enbridge. As such, the BOMA Toronto submits that it is eligible for a cost award under Section 3.03.

BOMA Toronto notes that it has been found to be eligible for an award of costs in other proceedings before the Ontario Energy Board.

As a non-profit organization, BOMA Toronto does not have access to any other funding sources. BOMA Toronto relies on the cost awards it receives from the Board to effectively participate in, and assist the Board, in these regulatory proceedings.

Communications

All communications related to this process should be directed to:

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Yours truly,



Chuck Stradling
Executive Vice President
BOMA Toronto