



**FINANCIAL SERVICES DEPARTMENT
KITCHENER UTILITIES**

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BY E-MAIL & COURIER

September 16, 2009

Ontario Energy Board
Attn: Ms. Kirsten Walli, Board Secretary
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, Ontario, M4P 1E4

Dear Ms. Walli:

**Re: EB-2009-0275 – Union Gas Limited (“Union”) Rates for 2010 – Request for Intervention
By the City of Kitchener (“Kitchener”)**

Pursuant to the Ontario Energy Board’s (“Board’s”) Notice of Application dated September 10, 2009, Kitchener wishes to actively participate in this proceeding.

Kitchener is an embedded gas distributor in the Southern Area of the franchise territory of Union and receives storage and transportation services under Rates T3 and M12. Kitchener was an active participant in EB-2007-0606 and EB-2008-0220 (Union Gas 2009 Rates) and is directly impacted by the proposed changes to rates in this Application pursuant to the annual rate setting incentive regulation mechanism.

Kitchener notes the Board’s view in its determination in Procedural Order No. 1 in EB-2008-0220 for a written hearing in those proceedings. It seems likely that the same view applies in the instant proceeding and Kitchener has no objection to proceeding in that fashion. Kitchener does not expect to seek costs in these proceedings.

In addition to the undersigned, Kitchener requests that its counsel, as noted below, be added to the List of Interventions in these proceedings should our request for status be granted by the Board.

September 16, 2009

Ms. Kirsten Walli

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If there are any questions or concerns with this request for intervention, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Gruenbauer", is positioned above the printed name.

James A. Gruenbauer, CMA
Manager, Regulatory Affairs and Supply

Cc: C. Ripley (Union)
J. Alick Ryder, Q.C. (RWBH)
W. Malcolm (Kitchener)