

September 16, 2009

Kirsten Walli, Board Secretary
ONTARIO ENERGY BOARD
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E5

Dear Ms. Walli:

Re: EB-2009-0275: Union Gas Limited (Union) 2010 Rates.

Industrial Gas Users Association (IGUA) Letter of Intervention - Correction.

We write as legal counsel to IGUA.

Application for Intervenor Status.

IGUA is in receipt of the Board's Notice of Application and Written Hearing in the captioned proceeding dated September 10, 2009. We hereby request, on behalf of IGUA, that the Board accept this application for intervenor status.

Description of IGUA.

IGUA is an association of industrial companies located in the Canadian provinces of Manitoba, Ontario and Québec who use natural gas in their industrial operations. IGUA was first organized in 1973 and it provides a coordinated and effective public policy and regulatory voice for those industrial firms depending on natural gas as a fuel or feedstock. IGUA has become the recognized voice representing the industrial user of natural gas before regulatory boards and governments at both the provincial and national levels.

Nature and Scope of IGUA's Intended Participation.

IGUA has historically been an active participant in gas distribution rate setting proceedings. IGUA was centrally involved in the proceedings that set the incentive regulation mechanism (IRM) regimes for each of Union and Enbridge Gas Distribution Inc., and has remained active in rate setting proceedings under those regimes.

IGUA's interests in this proceeding include: i) validation of the appropriate application of Union's IRM to establish 2010 rates; and ii) review and evaluation of any requested y or z factor pass throughs to ratepayers proposed by Union. IGUA may identify other issues of interest as the record herein is developed.

Hearing Process.

The Notice of Application requests that applicants for intervenor status indicate their preference for a written or oral hearing, and the reasons for that preference.

IGUA anticipates that this application will be largely amenable to disposition in writing, given that it primarily concerns mechanical application of Union's IRM formula. Union has requested Y-factor treatment for various DSM expenditures related to the Board's Low Income Assistance Program (LEAP), the details of which program are under development. IGUA anticipates that these requests, too, will be amenable to disposition in writing, provided that opportunity is provided in this process for complete discovery. To this end, IGUA respectfully suggests that the Board consider making provision for a technical conference following the filing by Union of interrogatory responses, the purpose of which technical conference would be to clarify the evidence and interrogatory responses and provide any supplemental information reasonably requested. Adequate time for review of interrogatory responses prior to the technical conference would facilitate a focussed exchange of information at such conference.

Intention to Seek an Award of Costs.

IGUA also hereby requests that it be determined eligible for recovery of its reasonably incurred costs of its intervention herein.

As a party primarily representing the direct interests of industrial consumers (i.e. ratepayers) in relation to regulated services, IGUA has in the past been determined to be eligible for cost awards pursuant to section 3.03(a) of the Board's *Practice Direction on Cost Awards*.

Request for Written Evidence and Contact Information.

IGUA requests that copies of written evidence and all circulated correspondence related to this matter be directed to it as follows:

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