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September 21, 2009

BY EMAIL & COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge St, Suite 2701
Toronto ON M4P 1E4

Dear Ms. Walli:

Board File No. EB-2009-0172
Enbridge Gas Distribution Inc. – 2010 Rates Adjustment
Intervention of Energy Probe

Pursuant to the Notice of Application issued by the Board on September 18, 2009, Energy Probe Research Foundation (Energy Probe) is hereby providing Notice of Intervention in the EB-2009-0172 proceeding for the Board's consideration. An electronic version of this communication will be forwarded in PDF format.

Energy Probe has become aware of a number of issues it wishes to pursue in this Matter, and has therefore availed itself of expert support. The Applicant has requested a two-phase approach to the review of its application; Energy Probe does not object to this format for review.

Energy Probe submits that an oral hearing may not be necessary but the decision on whether to proceed by written or oral hearing would best be determined once a settlement conference has been held.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh
Case Manager

cc: Norm Ryckman, Enbridge Gas Distribution Inc. (By email)
Fred D. Cass, Aird & Berlis LLP (By email)

Energy Probe Research Foundation 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

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Ontario Energy Board

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c.15 (Sched. B), as amended;

AND IN THE MATTER OF an Application by Enbridge Gas
Distribution Inc. for an Order or Orders approving or fixing just
and reasonable rates for the sale, distribution, transmission, and
storage of gas commencing January 1, 2010.

NOTICE OF INTERVENTION

OF

ENERGY PROBE RESEARCH FOUNDATION

Energy Probe Research Foundation (Energy Probe) applies for intervenor status in this proceeding.

Statement of Interest

Energy Probe is a non-profit environmental and consumer organization which promotes economic efficiency in the use of resources. Energy Probe will be representing its residential customer supporters in Ontario, which we have some number of thousands, and also representing a broader public interest concern with respect to the overall financial health and operational integrity of our utilities. Energy Probe will be intervening on issues which the Foundation believes to be in the public interest.

Intervention

Energy Probe intends to appear and participate in the hearing. Energy Probe expects to be a full-time intervenor. Energy Probe will be assisted by experts.

Costs

Energy Probe is a non-profit organization which relies on individual donations to help protect the public interest. Without the prospect of an award of costs, Energy Probe's ability to participate in proceedings would be very limited. Energy Probe intends to seek a cost award in this proceeding, and expects to intervene responsibly, cognizant of the Boards guidelines regarding cost awards.

Communications

Communications relating to this Notice of Intervention, including but not limited to a copy of all documents filed with the Board by Enbridge Gas Distribution Inc., are required by Energy Probe and should be directed to:

David S. MacIntosh
c/o Energy Probe
225 Brunswick Ave.
Toronto ON M5S 2M6
Tel: 416 964-9223 Ext. 235
Fax: 416 964-8239
Electronic Mail: DavidMacIntosh@nextcity.com

Respectfully submitted at Toronto, Ontario this 21st day of September 2009.

A handwritten signature in black ink, appearing to read 'David MacIntosh', with a stylized flourish at the end.

David S. MacIntosh
Case Manager