
AIRD & BERLIS LLP

Barristers and Solicitors

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October 23, 2009

BY EMAIL

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

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. ("Enbridge")
York Energy Centre Leave to Construct
Board Proceeding No. EB-2009-0187**

We are writing in response to the letters from the Board granting status to certain individuals and groups in this proceeding.

Observers

Global Environmental Action Group. Enbridge accepts that Observer status has been granted to the Global Environmental Action Group.

Ontario Greenbelt Alliance. Enbridge accepts that Observer status has been granted to the Ontario Greenbelt Alliance.

Letters of Comment

Concerned Citizens of King Township Inc. We have received the letter and will respond to the issues raised during the evidentiary and argument portion of the proceeding.

Indian and Northern Affairs Canada. Enbridge has received the letter and from Indian and Northern Affairs Canada and can submit that Enbridge has made appropriate inquiries in this respect. This will be more fully dealt with during the evidentiary phase of the proceeding.

STORM. Enbridge has received the letter from STORM and notes that much of the letter deals with issues that are not part of a leave to construct proceeding.

Region of York. We have received the letter and will address the issues raised during the evidentiary and argument portion of the proceeding.

Ms. S. Beharriell. A copy of the requested information has been provided.

Proposed Intervenorors

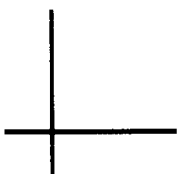
York Energy Centre LP. Enbridge does not take issue with the intervention of the York Energy Centre LP.

York District School Board (the “**YDSB**”). Enbridge does not take issue with the intervention of the York District School Board. Enbridge had provided information to the Kettleby Public School regarding the public information. However, Enbridge has modified its process for future projects to ensure the school and the appropriate school board both receive notice. Enbridge has provided a response to YDSB indicating where further information may be obtained regarding access and construction techniques. Also, it is Enbridge’s intention to situate the pipeline on the opposite side of the road in the area of the Kettleby Public School.

Hunter’s Green Rate Payers Association(the “**Association**”). Enbridge would like to comment upon the request for intervenor status of the Association. First, Rule 23.03(a) requires a person applying for intervenor status to provide certain information (description of group, membership, interest and grounds) and the information provided to date is incomplete. Enbridge is not aware of the Association or its membership and therefore the basis for the “impact” claimed in the Association’s letter is unclear. Therefore, prior to confirming the status of the Association, Enbridge would request that further information be provided regarding its membership and interest in this proceeding. We appreciate the Board’s reminder to the Association of the nature of the issues in a leave to construct proceeding.

By understanding the specific interests of the Association, Enbridge will be better able to respond which will provide for a more efficient proceeding. Further, it has been indicated that the Association intends to file evidence in this proceeding. Enbridge would request that the Association’s evidence be filed as soon as possible in order that we may review it in a timely manner. Enbridge would request that the Board defer a decision as to the need for an oral or written hearing until after the completion of a written interrogatory process.

If there are any questions in respect of the above, please contact the undersigned at your earliest convenience.



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Yours very truly,

AIRD & BERLIS LLP

A handwritten signature in black ink, appearing to read "Scott Stoll". The signature is fluid and cursive, with the first name "Scott" and last name "Stoll" clearly distinguishable.

Scott Stoll

SAS/br

c.c. Norm Ryckman
Rob Rowe

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