



**FINANCIAL SERVICES DEPARTMENT
KITCHENER UTILITIES**

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BY E-MAIL & COURIER

November 2, 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-2008-0052 – Revised Proposed Storage and Transportation Access Rule (“STAR”)
Letter of Comment by the City of Kitchener (“Kitchener”)**

Pursuant to the Ontario Energy Board’s (“Board’s”) Notice of Revised Proposal to Make a Rule dated September 18, 2009 (“Notice”), Kitchener respectfully provides the following written comments for consideration with our appreciation for the Board’s invitation to do so.

Kitchener generally supports the proposed STAR, as revised, and commends the Board for its development and incorporation of comments or concerns from multiple stakeholders, including Kitchener, to achieve a reasonable balance in the proposed Rule.

Kitchener submits the following comments:

1. In section 3.1.4 of the Revised Proposed STAR, the Board has required the provision of pricing and revenue information by a storage provider on a semi-annual basis (on April 1 and October 1). This appears to mirror the current FERC requirements for intrastate storage providers in the relevant geographic market. Kitchener understands that the FERC is currently seeking comment on proposed rule changes which would, among other things, increase the reporting frequency from semi-annual to quarterly [FERC 18 CFR Part 284 Docket No. RM09-2-000]. These proposed changes by the FERC are intended to improve market transparency, without placing undue burden on storage providers. Kitchener suggests the Board adopt in the STAR the reporting frequency change proposed by FERC. As a matter of principle, and to the extent reasonably possible, the minimization of cross-jurisdictional differences in reporting and other requirements for transportation and storage providers active in those jurisdictions would simultaneously advance efficient and effective regulation and fair competition among providers.

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2. Kitchener is aware that other stakeholders may include in their comments to the Board that it adopt a time bounded process to measure and review the effectiveness of the STAR after its implementation and make modifications, if and as necessary, to ensure the STAR achieves its intended purpose. Kitchener supports such comments and the adoption of this review process upon implementation of the STAR.

Thank you again for the opportunity to submit these written comments on the Revised Proposed STAR.

Sincerely,

A handwritten signature in black ink, appearing to read 'James A. Gruenbauer', is written over a faint, light-colored rectangular stamp or watermark.

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

Cc: W. Malcolm (Kitchener)
L. Baillargeon (Kitchener)
J. Alick Ryder, Q.C. (RWBH)