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November 4, 2009

VIA EMAIL, RESS and Courier

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. ("Enbridge")
Year 3 of 5 Year Incentive Regulation Plan – 2008 - 2012
Ontario Energy Board ("Board") File No. EB-2009-0172
Argument of Enbridge – Jurisdictional Question**

Procedural Order No. 1 of the Board, a Preliminary Motion, directed Enbridge to file written argument on the jurisdictional question in Enbridge's 2010 rate adjustment application. Accordingly, attached please find the written argument of Enbridge.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Shari Lynn Spratt'.

Shari Lynn Spratt

cc: Mr. F. Cass, Aird & Berlis LLP (via email)
EB-2009-0172 Intervenors (via email)