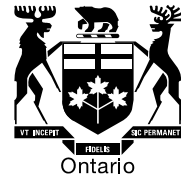


**Ontario Energy
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BY E-MAIL

December 1, 2009

Mr. Harvey Tenenbaum
Harten Consulting
1234 Kingston Road
Toronto, ON M1M 1P3

Dear Mr. Tenenbaum:

**Re: Enbridge Gas Distribution Inc.
Leave to Construct
Board File No. EB-2009-0187**

On November 27, 2009 the Board received your letter dated November 16, 2009 concerning the Draft Issues List (the "Draft List").

The Board issued Procedural Order No. 1 on November 5, 2009 which set out a schedule for this proceeding and had attached a proposed Draft List prepared by Board Staff. Intervenors and Enbridge were given an opportunity to file written submissions on the Draft List by November 20, 2009.

The Board received two submissions with regard to the Draft List. By letter dated November 16, 2009 the Applicant stated that it had no comment. The York District School Board ("YDSB") filed a submission by letter dated November 20, 2009.

On November 27, 2009 the Board issued Procedural Order No. 2 approving the Draft List. On that same day the Board received your letter which addressed the substance of each of the four issues but did not comment specifically on the appropriateness of the Draft List. Your letter has been filed with the Board and is on the public record.

Please refer to Procedural Order No. 1 for future steps in this proceeding.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

Encl:

cc: Applicant and all Intervenors and Observers