

January 8, 2010

Kirsten Walli, Board Secretary
ONTARIO ENERGY BOARD
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E5

Dear Ms. Walli:

Re: EB-2009-0172: Enbridge Gas Distribution Inc. (EGD) 2010 Rates.

Industrial Gas Users Association (IGUA) Submission on Draft Issues List.

Pursuant to Procedural Order No. 3 herein, we have reviewed the Board's Draft Issues List and wish to offer the following brief comment on behalf of IGUA.

We have compared EGD's draft issues list as filed at Exhibit A/T5/S1 against the Board's proposed issues list. IGUA endorses the Board's proposed formulation of its issue 10 (pension funding costs) and 11 (crossbores/sewer laterals costs). The Board's formulation of these issues makes clear that the appropriateness of allowing "z-factor" treatment for such costs will be considered as well as whether the amounts of, and variance account proposals in connection with, those costs are appropriate.

In respect of the Board's proposed issue 15, it appears to IGUA (Exhibits B/T1/S2, line 9 and C/T1/S4) that EGD is proposing to adjust the amount embedded in rates on account of incremental tax amounts, rather than adjusting the variance account associated with this y-factor. IGUA thus suggests that the Board's proposed issue 15 be reworded to read:

Is the adjustment to the Incremental Tax Amounts Y-factor appropriate (Ex. C-1-4)?

IGUA also endorses the express inclusion of the issues framed by items 8 (y-factor for gas in storage and related carrying costs), 9 (y-factor for CIS customer care) and 16 (review of Service Quality Requirements Performance and Measurement Reports) of the Board's proposed issues list.

Your truly,
MACLEOD DIXON LLP



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