
AIRD & BERLIS LLP

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January 13, 2010

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319, 26th Floor
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. – 2010 Rate Adjustment
EB-2009-0172**

We write in response to Procedural Order No. 3, and the Draft Issues List contained therein.

Enbridge has reviewed the Draft Issues List, and notes that it is consistent with the Issues List approved for Enbridge's 2009 Rate Adjustment proceeding, with appropriate additions in light of the different relief sought in this proceeding. Given that the Board-approved Issues List last year proved to be entirely satisfactory for the Board's consideration of the issues associated with Enbridge's 2009 rate adjustment, Enbridge sees no reason for a different approach to the Issues List in this proceeding.

Enbridge notes that of the 22 listed intervenors in its 2010 Rate Adjustment Proceeding, only 2 parties made any comment about the Draft Issues List. This suggests broad acceptance of the Draft Issues List.

The submissions by counsel to the Industrial Gas Users Association (IGUA) indicate that IGUA generally endorses the Draft Issues List.

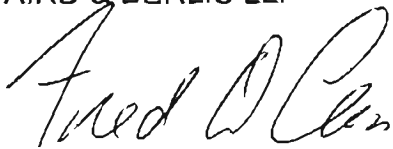
In its letter dated January 8, 2010, counsel for the School Energy Coalition suggested a large number of wording additions and changes to the Draft Issues List. Enbridge's view is that none of the proposed additions and changes are necessary. All of the items raised by the School Energy Coalition can be raised, if appropriate, within the context of the issues as described in the Draft Issues List.

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If you have any questions, please do not hesitate to contact us.

Yours truly,

AIRD & BERLIS LLP

A handwritten signature in black ink, appearing to read "Fred D. Cass". The signature is fluid and cursive, with the first name "Fred" being more prominent.

Fred D. Cass

FDC/

c.c. N. Ryckman
All intervenors in EB-2009-0172
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