



By electronic filing and e-mail

January 12, 2010

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
27th floor
Toronto, ON M4P 1E4

Borden Ladner Gervais LLP
Lawyers • Patent & Trade-mark Agents
World Exchange Plaza
100 Queen Street, Suite 1100
Ottawa ON K1P 1J9
tel.: (613) 237-5160 fax: (613) 230-8842
www.blgcanada.com

PETER C.P. THOMPSON, Q.C.
direct tel.: (613) 787-3528
e-mail: pthompson@blgcanada.com

Dear Ms Walli,

Dawn Gateway Pipeline Limited Partnership
Leave to Construct – Bickford Dawn Pipeline
Board File No.: EB-2009-0422
Our File No.: 339583-000059

We are writing this letter to seek intervenor status and cost award eligibility in this proceeding on behalf of Canadian Manufacturers & Exporters (“CME”).

Request for Intervenor Status

The reasons why CME should be granted intervenor status in this proceeding include the following:

- (i) CME is Canada’s leading business network. Its members represent 75% of manufactured output in the Province of Ontario, and 90% of all exports.
- (ii) Manufacturing is important to the Province of Ontario. It is the single largest sector of the economy (17.5% of Gross Domestic Product (“GDP”) or \$300B) employing, directly, over 1M people in the Province.
- (iii) Many of CME’s 1,200 Ontario-based member companies are distribution customers of Union Gas Limited (“Union”) and Enbridge Gas Distribution Inc. (“EGD”). Gas transported on the proposed Dawn Gateway Pipeline to Union's storage system at Dawn Ontario should enhance supply security for all Ontario gas users and thereby influence gas prices.
- (iv) Natural gas is significant to manufacturing as one of the sources of energy for the manufacturing sector. As a result, the members of CME are vitally concerned with all matters pertaining to the supply and price of natural gas commodity, including its transmission and distribution.
- (v) CME actively participated in the EB-2008-0411 proceeding brought by Union for approval of its proposed sale of the 11.7 km St. Clair Pipeline to the Applicant. This Application is a direct result of the Board's Decision and Order in that proceeding dated November 27, 2009.

- (vi) CME wishes to assure that the Regulatory Framework the Applicant will be proposing in its evidence in this proceeding is both just and reasonable and compliant with the Board's Storage and Transportation Access Rule ("STAR"). Subject to obtaining these assurances, CME expects to support the issuance of the approvals the Applicant seeks in this proceeding.

Request for Cost Award Eligibility

CME seeks a determination that it is eligible for a Cost Award on the following grounds:

- (i) CME is a not-for-profit organization funded by membership fees and revenues from the services it renders to Federal and Provincial Governments and Agencies to foster the development of national and international markets for its members and to break down trade barriers.
- (ii) About 85% of CME's 1,200 Ontario-based member companies are small to medium sized business enterprises with 500 employees or less. The views of these businesses should be considered in this proceeding.
- (iii) CME's ability to actively participate in this proceeding is dependent upon a determination that it is eligible for a Cost Award. In many prior proceedings, the Board has determined that CME is eligible for a Cost Award.

Written or Oral Hearing

CME prefers an oral hearing process, preceded by a short Settlement Conference on the grounds that it is the most expeditious and efficient way to obtain a Board decision in response to this Application.

CME Contacts

If the relief requested in this letter is granted, then CME requests that further communications with respect to this matter be sent to the following:

Paul Clipsham
Director of Policy
Ontario Division
Canadian Manufacturers & Exporters
6725 Airport Road
Suite 200
Mississauga ON L4V 1V2

Tel (289) 566-9538
Fax (905) 672-1764
E-mail paul.clipsham@cme-mec.ca

Borden Ladner Gervais LLP
Barristers & Solicitors
100 Queen Street
Suite 1100
Ottawa ON K1P 1J9

Peter C.P. Thompson, Q.C.
Tel (613) 787-3528
Fax (613) 230-8842
E-mail pthompson@blgcanada.com

Vincent J. DeRose
Tel (613) 787-3589
Fax (613) 230-8842
E-mail vderose@blgcanada.com

Please contact the undersigned if the Board requires any further information in connection with these requests.

Yours very truly,

A handwritten signature in black ink, appearing to read 'P. Thompson', followed by a long horizontal flourish.

Peter C.P. Thompson, Q.C.

PCT\slc

c. Sharon Wong (Blakes)
Mark Murray (Dawn Gateway c/o Union Gas Limited)
Paul Clipsham (CME)

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