



By electronic filing and by e-mail

January 18, 2010

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

Dear Ms Walli,

Union Gas Limited ("Union")
Cost Claims from Intervenors
Board File No.: EB-2008-0411
Our File No.: 339583-000036

We are writing to respond to the criticisms of two (2) elements of CME's Cost Claim with respect to Phase I of this proceeding contained in the January 18, 2010 letter from Union Gas Limited ("Union") to the Board.

Correspondence with National Energy Board ("NEB")

Our correspondence with the NEB was directly related to and prompted by our client's status as an intervenor awaiting the issuance of a Decision and Order in the Ontario Energy Board ("OEB") proceeding pertaining to Union's Application.

The purpose of the correspondence was to support the OEB process related to Union's Application for approval to sell the St. Clair Line to Dawn Gateway LP. We were not seeking status for CME in the NEB process. Copies of the correspondence were provided to the OEB and all parties in the OEB process.

We corresponded with the NEB in order to properly represent and protect our client's interests in the OEB proceeding and its outcome. We submit that this correspondence, prompted by and directly related to the OEB process and our client's active status therein, represents a professional service that needed to be provided to properly represent our client's interests in the OEB process. We submit that the item is properly included in CME's Cost Claim.

E-mail to Mr. Aiken

Following the release of the Decision and Order on November 27, 2009, we e-mailed Mr. Aiken to ascertain whether he would be available to help us analyze and comment on the calculation of the gain allocable to ratepayers that the Board directed Union to provide.

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As a former employee of Union, Mr. Aiken is well qualified to provide advice with respect to these types of calculations.

We submit that it was reasonable for us to contact Mr. Aiken to see if he could help and that this task is properly included in CME's Cost Claim with respect to Phase I of this proceeding.

Please contact us if any further information is required.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Peter C.P. Thompson', with a long horizontal flourish extending to the right.

Peter C.P. Thompson, Q.C.

PCT\slc

c. Sharon Wong (Blakes)
All Intervenors EB-2008-0411
Paul Clipsham (CME)

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