



EB-2007-0731

NOTICE OF APPLICATION

ENBRIDGE GAS DISTRIBUTION INC. RECOVERY OF AMOUNTS IN CLASS ACTION SUIT DEFERRAL ACCOUNT

Enbridge Gas Distribution Inc. ("Enbridge") filed an Application on September 28, 2007 (the "Application") with the Ontario Energy Board (the "Board") under section 36 of the *Ontario Energy Board Act, 1998*, S.O. c.15, Sched. B, as amended, for an order of the Board approving the final balance in the 2007 Class Action Suit Deferral Account ("CASDA") and the disposition of that balance. The balance in the CASDA as at August 1, 2007 was \$23.7 million, plus interest of \$0.7 million. The Board's decision on this Application may have an affect on all of Enbridge's customers.

Enbridge has proposed to collect the full amount of the CASDA annually over the course of eight years from 2008 to 2015. If approved by the Board, the collection would result in an increase to a customer's bill of about \$1.90 per year per customer.

How to see Enbridge's Application

Copies of the application are available for inspection at the Board's office in Toronto and on its website, www.oeb.gov.on.ca, and at Enbridge's office at the address indicated below.

How to Participate

You may participate in this proceeding in one of three ways:

1. Send a Letter with your Comments to the Board

Your letter with comments will be provided to the Board members deciding the application, and will be part of the public record for the application. If you wish to make an oral presentation to the Board, your letter should include this request. Your letter must be received by the Board no later than **30 days** from the publication or

service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

2. Become an Observer

Observers do not actively participate in the proceeding but monitor the progress of the proceeding by receiving documents issued by the Board. You may request observer status in order to receive documents issued by the Board in this proceeding. If you become an observer, you need to contact the applicant and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board's website. Your request for observer status must be made in writing and be received by the Board no later than **10 days** from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below; however, two paper copies are also required. You must also provide a copy of your letter to the applicant.

3. Become an Intervenor

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenor status is eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing.

Your request for intervenor status must be made by letter of intervention and be received by the Board no later than **10 days** from the publication or service date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the outcome of this proceeding; and if you represent a group, a description of the group and its membership. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant.

The Board may choose to proceed with this application by way of written or oral hearing. The Board will not hold a written hearing if a party satisfies the Board that there is good reason for holding an oral hearing. Your letter of intervention should indicate your preference for a written or oral hearing, and the reason for that preference.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

How to Contact Us

In responding to this Notice, please include Board file number EB-2007-0731 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's website at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT REQUEST TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THIS PROCEEDING.

Addresses

The Board:

Post:
Ontario Energy Board
 P.O. Box 2319
 2300 Yonge Street, 27th Floor
 Toronto, ON
 M4P 1E4
 Attention: Board Secretary

Filings : www.errr.oeb.gov.on.ca
 E-mail: Boardsec@oeb.gov.on.ca

Tel: 1-888-632-6273 (toll free)
 Fax: 416-440-7656

The Applicant:

Enbridge Gas Distribution Inc.
 Personal Service:
 500 Consumers Road
 Willowdale, Ontario M2J 1P8
 Post:
 P.O. Box 650
 Scarborough, ON M1K 5E3

Attn: Patrick, Hoey
 Director, Regulatory Affairs

Tel: 416-495-5555
 Fax: 416-495-6072
 Email: patrick.hoey@enbridge.com

Counsel for the Applicant:

Mr. Dennis M. O'Leary
 Aird & Berlis LLP
 BCE Place, PO Box 754
 Suite 1800, 181 Bay Street
 Toronto, Ontario
 M5J 2T9

Tel: 416-865-4711
 Fax: 416-863-1515
 Email: doleary@airdberlis.com

Ce document est disponible en français.

DATED at Toronto, October 26, 2007

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli,
Board Secretary