

May 25, 2010

Ms. Kirsten Walli, Board Secretary
ONTARIO ENERGY BOARD
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: EB-2010-0039: Union Gas Limited 2009 Earning Sharing and Deferral Account
Disposition Application.**

Industrial Gas Users Association (IGUA) Notice of Intervention.

We write as legal counsel to IGUA.

Application for Intervenor Status.

IGUA is in receipt of the Board's Notice of Application in the captioned proceeding dated May 14, 2010. We hereby request, on behalf of IGUA, that the Board accept this application for intervenor status in this proceeding.

Description of IGUA.

IGUA is an association of industrial companies located in the Canadian provinces of Manitoba, Ontario and Québec who use natural gas in their industrial operations. IGUA was first organized in 1973 and it provides a coordinated and effective public policy and regulatory voice for those industrial firms depending on natural gas as a fuel or feedstock. IGUA has become the recognized voice representing the industrial user of natural gas before regulatory boards and governments at both the provincial and national levels.

Nature and Scope of IGUA's Intended Participation.

IGUA has historically been an active participant in gas distribution rate setting proceedings. IGUA was centrally involved in the proceedings that set the incentive regulation mechanism (IRM) regimes for each of Union and Enbridge Gas Distribution Inc., and has remained active in rate setting proceedings under those regimes.

IGUA's interests in this proceeding include: i) validation of the appropriate application of Union's IRM earnings sharing mechanism to establish earnings sharing for 2009 revenues; ii) review and evaluation of Union's variance account balances and proposed dispositions; and iii) consideration of Union's proposal for approval of a mechanism for allocation of costs between its regulated and unregulated storage business.

Intention to Seek an Award of Costs.

IGUA also hereby requests that it be determined eligible for recovery of its reasonably incurred costs of its intervention herein.

As a party primarily representing the direct interests of industrial consumers (i.e. ratepayers) in relation to regulated services, IGUA has in the past been determined to be eligible for cost awards pursuant to section 3.03(a) of the Board's *Practice Direction on Cost Awards*.

Request for Written Evidence and Contact Information.

IGUA requests that copies of written evidence and all circulated correspondence related to this matter be directed to it as follows:

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