

VIA E-MAIL (RESS and Courier to the Board)

April 26, 2010

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

Dear Ms. Walli:

Re: Enbridge Gas Distribution – Board File No.: EB-2008-0219

REQUEST & SUPPORT

I am writing on behalf of the Federation of Rental-housing Providers of Ontario (FRPO) in regard to on-going initiatives of Enbridge Gas Distribution (EGD) that were precipitated by the Board's direction in the above proceeding. At this time, EGD is involved in Stakeholder Consultations for the purposes of arriving at settlement with intervenors over two important issues, System Reliability and Mass Retail Unbundling. FRPO is requesting intervenor status in this proceeding and requests a determination of its eligibility for a cost award in this process and offers the following information in support of its request.

FRPO is Ontario's leading advocate for quality rental housing, representing over 800 private owners and managers who supply over 250,000 rental suites across the province. Our members strongly believe that the rental-housing sector is best served by a competitive marketplace that offers choice and affordability in the provision of energy services. As a not-for-profit organization, FRPO does not have other funding sources to ensure experienced representation to participate in and assist the Board in these regulatory proceedings. FRPO has previously assisted the Board in other matters and has been awarded costs by the Board.

ISSUE

FRPO was not a party to the original EB-2008-0219 proceeding. FRPO's representative, DR QUINN & ASSOCIATES LTD. (DRQ), was informed of the ongoing Stakeholder Consultation process earlier in April 2010 and, on behalf of FRPO, inquired with EGD about the opportunity to contribute to the discovery and problem solving process. DRQ was informed that EGD had selected a representative group of intervenors and being involved even as an unpaid observer was not available to FRPO at this time. We were informed that our opportunity to be involved would come if and when EGD reached a tentative settlement with the representative intervenors which would be voted on by the larger group or at such time that unresolved issues went to a formal proceeding at the Board. To be clear, FRPO is not applying to the Board to give FRPO standing in the representative group at this time but for intervenor status for next phase as captured in the previous sentence.

However, FRPO would like to draw the Board's attention to some concerns articulated to EGD by DRQ in pursuing involvement at this time. DRQ had reviewed the public minutes of the first three meetings in seeking involvement and had requested involvement due to some substantive gaps discerned in the

scenario planning for system reliability. The most notable gap was the lack of information provided regarding the Eastern Canadian Mutual Assistance Plan (ECMAP). This plan, entered into by Eastern Canadian natural gas utilities and facilitating parties such as TCPL and signed by senior officials in their organizations, calls for the voluntary cooperation of all of the partnered utilities to assist one another in a natural gas emergency. This plan covers outages but also outage avoidance as these utilities have signed an agreement to act to limit the impact of an emergency condition for the benefit of natural gas customers and the industry. This assistance can include, and has included, the interruption of interruptible contract customers on one utility for the benefit of reducing the risk of cutting off supply to firm customers for the utility experiencing the incident.

Yet, in DRQ's review of the presentations on emergency scenario planning, the impact of ECMAP on potential upstream challenges is not considered in developing long term solutions for system integrity and the resulting cost implications. In our respectful submission, this omission could result in non-optimal solutions being agreed to by the parties for the purposes of settlement. Therefore, it would be our position that, if and, when EGD is prepared to present a tentative settlement to the Board, non-participating parties have opportunity for enhanced discovery on substantive issues prior to the final vote on settlement.

For the reasons stated above, FRPO would respectfully request being added to the intervenor list and a determination of costs at the appropriate time as deemed by the Board.

REPRESENTATION

If the intervention requested is granted, then FRPO asks that further communications with respect to this matter be sent to the following:

Mr. Dwayne R. Quinn
DR QUINN & ASSOCIATES LTD.
160 White Pine Cres.,
Waterloo, Ontario
N2V 1C1

Phone: (519) 500-1022
Email: drquinn@rogers.com

Thank you for your consideration of this request

Respectfully Submitted on Behalf of FRPO,



Dwayne R. Quinn
Principal
DR QUINN & ASSOCIATES LTD.

c. N. Ryckman (EGD), EB-2008-0219 Settlement Stakeholders, V. Brescia (FRPO)