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June 1, 2010

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
P.O. Box 2319  
Suite 2700  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

**Re: Motion (the “Motion”) by the Consumers Council of Canada in relation to section 26.1 of the *Ontario Energy Board Act, 1998* (the “*OEB Act*”) and Ontario Regulation 66/10.  
OEB File EB-2010-0184**

We are counsel for Union Gas Limited (“**Union**”). Further to the Board’s Procedural Order No. 3, Union hereby applies for leave to intervene in this proceeding.

This proceeding addresses the constitutionality of section 26.1 of the *OEB Act* and thus the legality of regulations and assessments purportedly made under s. 26.1. As a gas distributor, Union is expressly referred to in s. 26.1 (1) 1 of the *OEB Act* as subject to assessments. Union therefore has a substantial interest in the Board’s determinations in this proceeding.

As currently advised, Union proposes to actively participate in all issues in this proceeding and may file evidence, arguments or interrogatories and/or cross-examine witnesses.

All notices with respect to this proceeding, and copies of all evidence and other materials, should be delivered to the following:

Mark Kitchen  
Director, Regulatory Affairs  
Union Gas Limited  
P.O. Box 2001  
50 Keil Drive North  
Chatham, ON N7M 45M1

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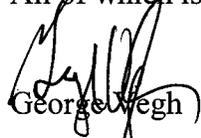
and to Counsel for Union Gas:

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All of which is respectfully submitted,

  
George Vegh

c: All Parties and Intervenors.  
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