

AIRD & BERLIS LLP

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June 7, 2010

8/6/10
Kirsten Walli, Board Secretary
Ontario Energy Board
P.O. Box 2319, 26th Floor
2300 Yonge Street
Toronto, Ontario
M4P 1E4

RECEIVED

JUN 08 2010

ONTARIO ENERGY BOARD

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. – 2010 Rate Adjustment
EB-2009-0172**

On May 18, 2010, the OEB issued a Decision in this proceeding titled "Return on Equity for Earnings Sharing and DSM Industrial Pilot Project" (the Decision).

We have now received instructions from our client, Enbridge Gas Distribution, to challenge the Decision at Divisional Court, either by way of appeal or by way of judicial review.

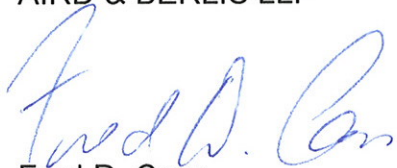
In order that our client may proceed with an appeal (as opposed to a judicial review application), it is necessary for the OEB to have issued an "order" in connection with the Decision.

Please advise whether the OEB intends to issue an order in relation to the Decision and, if so, when that order will be issued.

If you have any questions in this regard, please do not hesitate to contact us.

Yours truly,

AIRD & BERLIS LLP


Fred D. Cass