

June 11, 2010

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

Dear Ms. Walli:

Re: EB-2010-0177: Enbridge Gas Distribution (EGD) Storage and Transmission Access Rule (STAR) Application (Rate 331).

Written Submissions of the Industrial Gas Users Association (IGUA).

Pursuant to the Board's Notice of Application and Procedural Order No. 1 herein, IGUA was automatically deemed a registered intervenor in this application, having been a registered participant in the proceeding held by the Board to develop the STAR (EB-2008-0052). IGUA has reviewed the application materials, and supports the relief sought.

IGUA understands the scope of this application to be limited to consideration of the conformance to the requirements of the STAR of the proposed terms and conditions for EGD's Rate 331, as reflected in the "Tariff" document filed by EGD (Appendix C, pages 1 through 66 of the application materials). That Tariff document consists of: i) Defined Terms; ii) an FT Service Schedule; iii) an IT Service Schedule; iv) a set of General Terms and Conditions (applying to services under both of the FT and IT Service Schedules); v) an FT Service Agreement (Standard Form); vi) an IT Service Agreement (Standard Form); and vii) a Service Request Form.

EGD has also filed, as Appendix B to its application, one page setting out the parameters of its Rate 331, including the charges for FT and IT under Rate 331. EGD is not proposing changes to those charges. IGUA understands that the Board is not being asked to, and will not in this proceeding, consider and approve the charges for Rate 331 service.

IGUA has considered the proposed Tariff (using the term "Tariff" as outlined above) for compliance with the STAR, and is satisfied that it complies. In particular, IGUA notes that the Tariff provides that:

1. Subject to Niagara Gas Transmission Limited's renewal rights in respect of its current FT Rate 331 contract, upon expiry of Niagara Gas' FT contract, available FT capacity on the Tecumseh 30" Transmission Lines will be offered to the market through an open season, in accordance with STAR's requirements for such an open season (FT Service Schedule, article 4).
2. Nominations under rate 331 service are governed by STAR compliant Tariff provisions, which include provision for the four NAESB nomination windows (General Terms and Conditions, article 9).
3. The proposed Tariff would establish a queue for qualifying prospective shippers where demand for FT capacity exceeds supply (General Terms and Conditions, article 2).

The proposed Tariff complies with the other requirements of the STAR, including the STAR section 2.3.4 requirements for what must be included in the standard terms of service in addition to those requirements specifically noted above.

STAR compliance, including in particular compliance with respect to transportation capacity allocation, is especially important where the main shipper is an affiliate of the transmission owner, as is the case in the circumstances of this application.

On the basis of the foregoing, IGUA supports the relief requested by EGD herein.

Yours truly,
MACLEOD DIXON LLP



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