

Robert B. Warren

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File 10606

**WeirFoulds** LLP  
BARRISTERS & SOLICITORS

November 6, 2007

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
Suite 2701  
2300 Yonge Street  
Toronto ON M4P 1E4

Dear Ms Walli:

**Re: EB-2007-0731**

We are counsel to the Consumers Council of Canada (the "Council"). By this letter, the Council applies to be an intervenor in the application of Enbridge Gas Distribution Inc. ("EGD") for an order approving the final balance of the 2007 Class Action Suit Deferral Account ("CASDA") and the disposition of that balance.

The Council represents the interests of the broad array of consumers of natural gas in Ontario. The granting of EGD's application would have an impact on those residential consumers. It is appropriate that those consumers be represented in the application.

The Council has represented the interests of residential consumers in a number of applications by EGD in which the treatment of the CASDA was considered.

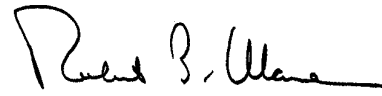
The Council is a non-profit, public interest entity. It has no funds of its own to support its intervention. The Council will, therefore, seek an award of costs for its participation in this proceeding. The Council has participated in most, if not all, of the applications which EGD has brought to the Board. In all of those proceedings in which it has participated, the Council has been found eligible for, and been awarded, its costs of participating.

While the existence of CASDA has been an issue in a number of EGD applications, the factual background to the account and the question of who should be responsible for the amount in the account, have never been explored. Because of that, and given the size of the balance in the CASDA, and the potential impact on residential consumers of the disposition of that balance, the Council submits that this application should be considered at an oral hearing.

The Council will be assisted in its participation by its consultant, Ms. Julie Girvan. We would appreciate your having all notices with respect to the proceeding, and copies of all documents filed by EGD, or any other party, delivered to the writer. In addition, copies of all materials should be sent to Ms Girvan. Ms. Girvan's contact information is: 2 Penrose Road, Toronto, ON M4S 1P1, telephone: (416) 322-7936, fax: (416) 322-9703, e-mail: jgirvan@ca.inter.net.

Yours very truly,

**WeirFoulds LLP**



Robert B. Warren

RBW/dh

cc: Enbridge Gas Distribution Inc.  
Attention: Patrick Hoey  
cc: Aird & Berlis  
Attention: Dennis N. O'Leary  
cc: Consumers Council of Canada  
Attention: Bill Huzar  
cc: Julie Girvan

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