

October 25, 2010

EMAIL AND FILED VIA RESS

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700
Toronto, ON M4P 1E4

Dear Ms Walli:

**Re: EB-2010-0146: Enbridge Gas Distribution 2011 Rate Application
Comments on Draft Issues List**

We represent Enbridge Gas Distribution Inc. ("Enbridge").

Pursuant to Procedural Order No. 1, we write to provide Enbridge's reply to the three Intervenor submissions made in respect of the Draft Issues List.

Enbridge does not object to the addition of the issue proposed by Just Energy Ontario L.P. which asks: *"Is the proposed increase in Direct Purchase Administration Charge ("DPAC") appropriate?"*.

Enbridge is concerned that the additional issue or issues proposed by Jason F. Stacey are overly broad. In Enbridge's submission, it is not appropriate to add an "Other Issues" category, and then leave that open to capture any items that any participant may wish to raise at a later time. Similarly, it is overly broad to include an issue asking whether "the Rate Handbook should be clarified, where applicable." That would lead to an open-ended examination of the entire Rate Handbook. Instead, only specific issues that are raised by parties and accepted by the Board are appropriate to be included in the Issues List. That way, Enbridge is on notice of the matters that it must address as part of its case. With that context, while Enbridge urges the Board not to accept the additional issues in the manner framed by Mr. Stacey. However, in response to Mr. Stacey's submission, Enbridge is prepared to accept the addition of a discrete issue related to its In Franchise Title Transfer Service, framed as follows: *"Is it appropriate to clarify the wording in Rider H of the Rate Handbook related to the In Franchise Title Transfer Service charges?"*.

Enbridge objects to the additional issue submitted by Comsatec Inc., which is framed as "Proposed changes to Enbridge's billing requirements". The context for this issue, as explained in Comsatec's letter, is that certain customers are concerned with Enbridge's billing practices where the customer has both firm and interruptible service with only one meter to measure all consumption. Enbridge disagrees that there is any impropriety where it bills a customer first under the firm rate and second under an interruptible rate.

We understand that the matter raised by Comsatec is a customer-specific (consumption) issue raised by one customer represented by Comsatec. In accordance with Enbridge's usual practice, customer contracts are renewed annually and the customer has the opportunity to adjust contract parameters (such as contract demand and annual volume for both firm and interruptible contracts) annually to most appropriately reflect the customer's consumption patterns. In Enbridge's submission, it is not necessary or appropriate to include the matters raised by Comsatec as an issue in the 2011 Rate Adjustment proceeding.

Should you have any questions, please do not hesitate to contact me.

Yours very truly,

AIRD & BERLIS LLP



David Stevens

cc. Enbridge Gas Distribution