



By E-mail

November 23, 2007

Kirsten Walli
Board Secretary
Ontario Energy Board
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Dear Ms Walli

Union Gas Limited and LANXESS Inc. - Five Year Contract Extension

Board File No.: EB-2007-0717
Our File No.: 302701-000389

In the submissions we made earlier today on behalf of our client, the Industrial Gas Users Association ("IGUA"), we did not address the legality of Union's actions in charging LANXESS a market-based price for a portion of the deliverability it acquires under its Obligated DCQ T1 Contract with Union.

On this point, we agree with and adopt the submission made on behalf of the City of Kitchener. No forbearance order exists with respect to the deliverability Union provides to its in-franchise DCQ obligated T1 customers. The deliverability Union provides to LANXESS is a regulated service and must be priced accordingly.

Yours very truly

A handwritten signature in black ink, appearing to read 'Peter Thompson', is written over a horizontal line.

Peter C.P. Thompson, Q.C.

PCT\slc
c. Interested Parties EB-2007-0717
Chris Ripley (Union Gas Limited)
Murray Newton (Industrial Gas Users Association)

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