

Robert B. Warren

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File 10606.00022

**WeirFoulds** LLP  
BARRISTERS & SOLICITORS

Kirstin Walli, Board Secretary  
Ontario Energy Board  
PO Box 2319  
Suite 2701  
2300 Yonge Street  
Toronto, ON M4P 1E4

November 17, 2006

Dear Ms Walli:

**Re: EB-2006-0034**

We are counsel to the Consumers Council of Canada.

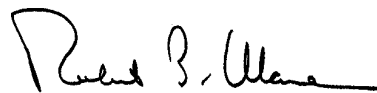
As you are aware, today is the date for the filing of intervenor evidence in this proceeding. As you may also be aware, Enbridge Gas Distribution Inc. ("EGD") and a number of intervenors have, over the preceding several months, been engaged in a number of consultatives dealing with several of the substantive matters that are on the issues list in the proceeding. My client has been an active participant in at least three of those consultatives.

To my knowledge, the work of the consultatives, at least the ones that my client is an active participant in, have not been completed. We anticipate that EGD will be filing further evidence, both to supplement the evidence which has already been filed, and to reflect the work of at least some of the consultatives. In addition, and again with respect to at least the consultatives that my client has been actively involved in, there will be intervenor evidence, as well.

It is very difficult for anyone to predict when the evidence of EGD and of the intervenors will be filed. Accordingly, we are not in a position to ask the Board for a procedural order setting out a specific date for the filing of additional evidence. At this point, we simply want to alert the Board to the fact that further evidence will be filed, and that a further procedural order may be required to deal with the implications of the filing of that evidence.

Yours very truly,

**WeirFoulds LLP**



Robert B. Warren

RBW/dlh

cc: Fred Cass  
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Julie Girvan  
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