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File: 4834

By Electronic Mail

November 7, 2006

Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: Enbridge Rates 2007 Proceeding - EB-2006-0034
Notice to Attorneys General of Constitutional Question
under section 109 of the *Courts of Justice Act*

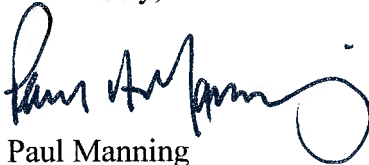
LIEN's submissions to the Board dated November 2, 2006, on the jurisdiction of the Board to consider a rate affordability/assistance scheme, raise a constitutional question relating to section 15 of the *Canadian Charter of Rights and Freedoms*.

In accordance with Section 109 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, we are serving notice of that constitutional question on the Attorney General of Ontario and the Attorney General of Canada.

Section 109 requires 15 days notice to the Attorneys General. LIEN respectfully requests the Board to defer its decision on jurisdiction by not less than 15 days from tomorrow to allow sufficient time for the Attorneys General to indicate if they wish to participate and to make submissions on the constitutional question.

I look forward to hearing from you.

Yours truly,


Paul Manning

cc: Mr. Fred Cass, Counsel for Enbridge Gas Distribution Inc.