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January 21, 2010

**VIA RESS AND COURIER**

Kirsten Walli, Board Secretary  
Ontario Energy Board  
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Toronto, Ontario  
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Dear Ms. Walli:

**Re: EB-2010-0232 – Enbridge Gas Distribution Inc. Application for exemptions from section 2.2.4 of the *Affiliate Relationships Code for Gas Utilities*.**

**Industrial Gas Users Association (IGUA) Submissions.**

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This letter constitutes IGUA's submissions on EGD's application for two exemptions from the Board's *Affiliate Relationships Code for Gas Utilities* (ARC).

In its application EGD requests two exemptions from section 2.2.4 of the ARC:

1. An exemption in order to continue to share certain EGD customer information with certain personnel of its Quebec affiliate, Gazifere Inc., in order to permit those Gazifere personnel to provide emergency on call services to certain EGD customers located near Gazifere's service territory.
2. An exemption in order to extend its provision of operational services to affiliates which operate wind powered electricity generation facilities, now or in the future.

**Gazifere Emergency Services Exemption**

In a previous application for similar relief (EB-2008-0275) IGUA did not object to exemption from the ARC for the purposes of sharing emergency services response with Gazifere, on the basis that:

- a. The Gazifere employees who had access to the EGD customer information continued to be required under the applicable Intercompany Services Agreement (ISA) to be bound by confidentiality provisions in respect of such EGD customer information; and
- b. Gazifere was not providing any competitive energy services in Ontario.

IGUA submits that the Board should condition approval of this aspect of EGD's application accordingly.

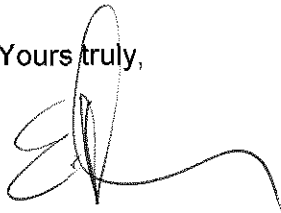
## **Provision of Wind Generation Control Services Exemption**


In the previous application for similar relief, IGUA noted EGD's evidence that, absent a market comparator for pricing for such control services, EGD would charge its wind power affiliates on a fully allocated cost basis. EGD's current application is brought on the same basis.

Further, in addition to ARC exemption to allow EGD to provide services to the Talbot wind farm which will be commissioned later this year and to the Greenwich wind farm to be commissioned in 2011, EGD seeks a "generic exemption" to enable it to provide such services to additional affiliated wind farms in future [Ex. I/T2/S4].

IGUA notes that the wind power industry in Ontario is expanding exponentially, on a competitive basis. It is entirely conceivable that independent, market priced control services will be available in the near future, if they are not already. IGUA thus submits that any exemption in respect of the provision by the utility of such services to its affiliate should be granted on a time limited basis (two years would seem reasonable). EGD would then be free to apply for extension of this exemption, with evidence addressing the then state of the market for the provision of such services.

Yours truly,



 Ian Mondrow

c: Norm Ryckman, EGD  
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