

20 January 2008

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board **By e-mail**

Dear Ms. Walli:

Re: EB-2007-0615 and EB-2007-0606 Enbridge and Union Multi-year I.R.

I write on behalf of GEC in regard to the January 18th request by Enbridge to reschedule the date for presentation of the settlement agreement. GEC is supportive of the request and would ask the Board to consider a further aspect of the scheduling matter concerning the hearing of the evidence of Union Gas in regard to customer additions.

Procedural order 16 noted that January 24th was the date for the hearing of any Enbridge settlement and for all other Union and Enbridge issues that remain unsettled. Our understanding of the Union settlement is that there are three outstanding issues: the tax change issue which will proceed by special process later, the commodity risk management issue which will proceed by written hearing, and only one, the treatment of customer additions, which will proceed by immediate oral hearing. GEC and Pollution Probe are the parties who have sought a hearing on this matter. GEC is seeking a targeted incentive to encourage customer additions and Pollution Probe is suggesting a Y factor for revenue shortfalls arising from customer additions expenditures. I anticipate that both GEC and Pollution Probe will hold similar positions on this issue in the Enbridge case. In our submission the evidence and considerations at play on this issue will be quite similar for the two utilities and it would reduce duplication and assist the Board and the parties in dealing with the issue conveniently and cost-effectively if the evidence and cross-examinations of the two relevant utility panels were heard in combination or in rapid succession. In this manner the parties would have to assemble once only and the evidence in chief and cross-examinations would likely be shortened significantly as the matters would either be combined or would be fresh in all parties' minds.

We also note that some new calculations will be required to determine the impact of the partial settlements (accepted in Union's case and emerging in Enbridge's) on the companies' returns from customer additions. We have already obtained some of the data but with the finalization of these agreements it will be necessary for us to obtain additional information from the companies by way of cross-examination. GEC proposes to give notice of these questions to the companies in the next day or so in an effort to make the oral hearing more efficient. We expect that it may take the companies a few days to do the calculations and a delay in the Union oral phase would facilitate that effort. It is our hope that this would allow the hearing to focus more effectively on the issue as opposed to the numbers.

Accordingly, we request that the hearing of the Union matter be rescheduled to coincide with or immediately precede the start of the Enbridge hearing on whatever date the Board selects for the hearing of the Enbridge evidence (preferably after the 30th when several of the parties are

involved in the OPA issues conference). The presentation of the panels in sequence or combined could be left with the utilities to determine.

Sincerely,

A handwritten signature in black ink, appearing to read "David Poch". The signature is fluid and cursive, with the first name "David" written in a more legible script and the last name "Poch" in a more stylized, cursive form.

David Poch
Cc: all parties