

May 26, 2011

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**VIA E-MAIL**

File 10606.00011

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Union Gas Limited/EB-2010-0039**

We are counsel to the Consumers Council of Canada ("CCC") in this matter. We have today received, from Mr. Thompson, a copy of a letter, dated May 24, 2011, from Union Gas to you and a copy of Mr. Thompson's response, dated May 26, 2011, to that letter.

It would be inappropriate for us to comment on the substance of Union's concerns about the cost claim of Mr. Thompson's client, the Canadian Manufacturers and Exporters. We do think it appropriate, however, to comment on one point in Mr. Thompson's letter of May 26, 2011. Mr. Thompson is correct in saying that we relied on him for the factual context for our written submissions. We relied on the transcripts of hearings that arose as a direct result of the positions which Mr. Thompson took on behalf of his client. In addition, we limited the scope of our written argument on the assumption that Mr. Thompson, in his written argument, would set out in detail the factual context for the issues.

Yours truly,

**WeirFoulds LLP**



Robert B. Warren

RBW/sm

cc: Crawford Smith (Torys)  
Mark Kitchen (Union)  
Peter Thompson (BLG, Ottawa)

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