

September 9, 2011

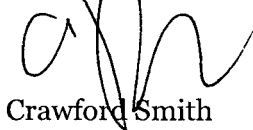
Ms. Kristen Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: EB-2011-0038 - Motions by Canadian Manufacturers & Exporters ("CME")
and Union Gas Limited ("Union")**

We are writing on notice to intervenors to advise that the parties have agreed to a resolution of the motions brought by CME and Union in the above-noted matter subject to execution of signed minutes of settlement to be filed with the Board. We anticipate being in a position to file these minutes later today or at the beginning of next week. Once filed, CME and Union will, among other things, withdraw their respective motions. In the interim, pursuant to Procedural Order No. 4 dated September 8, 2011, Union and parties in opposition to CME's motion are to file their submissions with the Board today. In the circumstances of the anticipated settlement described above, we ask for the Board's indulgence regarding compliance with the filing requirements specified in the Procedure Order.

Yours truly,



Crawford Smith

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CSIsIk

cc: Mark Kitchen, Union Gas
Michael Millar/Kristi Sebalj, Board Staff
All EB-2011-0038 Intervenor