

February 6, 2012

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-2011-0327 - Union Gas Limited - 2012-2014 DSM Plan**

We are counsel to Union Gas Limited ("Union") and are writing in response to Mr. Elson's letter of today's date on behalf of Pollution Probe.

Mr. Elson's letter proposes written argument following the February 13, 2012 hearing. Specifically, he proposes that Pollution Probe file and serve written submissions on February 15, 2012. In our view, there is no need for the delay contemplated by Mr. Elson's letter. Pollution Probe has twice articulated its opposition to the settlement agreement based on its position in relation to the DSMVA: at the hearing on February 3, 2012 and now in Mr. Elson's letter. In our view, there is no reason why Pollution Probe should not be prepared to proceed with argument on February 13, 2012 following the cross-examination of the Union witness panel.

Yours truly,



Crawford Smith

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CS/tm cc: Intervenor