

February 10, 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-2011-0038 - Union Gas Limited
2010 Deferral Account Proceeding**

We are counsel to Union Gas Limited ("Union") and are in receipt of Mr. DeRose's letter of yesterday's date, as well as letters from FRPO and LPMA.

The letters request a process through which Union can respond to CME's submissions regarding the draft order provided by Union on February 3, 2012. Parties are mistaken if they believe a process if not already in place. As ordered by the Board in its Decision, parties who wish to comment on the draft rate order must do so by today's date. There is no further opportunity for comment. Union is required to respond by February 17, 2012 to any such comments.

Union intends to respond to CME's submissions on February 17 as Union does not agree that the submissions accurately reflect the Board's Decision.

Yours truly,



Crawford Smith

Tel 416.865.8209
csmith@torys.com

CS/tm

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