



**INFRASTRUCTURE SERVICES DEPARTMENT
KITCHENER UTILITIES**

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BY E-MAIL & COURIER

February 10, 2012

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

Dear Ms. Walli:

**Re: EB-2011-0038 – Union Gas Limited (“Union”) 2010 Earnings Sharing & Deferral
Accounts – Comments on Draft Rate Order by the City of Kitchener (“Kitchener”)**

Pursuant to the Ontario Energy Board’s (“Board’s”) Decision and Order dated January 20, 2012 (“Decision”) and the Draft Rate Order (“Draft RO”) filed by Union on February 2, 2012 in compliance with the Board’s Decision, Kitchener wishes to provide the following comments.

Kitchener has reviewed the Draft RO and the correspondence filed by CME, FRPO, LPMA and Union in this matter yesterday and today. Procedurally, with respect to Mr. Smith’s assertion on behalf of Union that there is no further opportunity for comments by parties beyond today’s date as set out in the Decision, Kitchener respectfully submits that it is entirely up to the Board to determine what, if any, further opportunity for comments on the Draft RO it may be willing to grant in these circumstances.

Kitchener shares the views of CME, FRPO and LPMA with respect to the Draft RO and, in particular, supports CME’s position that the ratepayer’s share of 2010 net short-term storage revenues under Account No. 179-70 should be increased to \$ 0.831 million.

Kitchener hopes these comments are helpful to the Board and the parties.

Sincerely,

James A. Gruenbauer, CMA
Manager, Regulatory Affairs and Supply

Cc: W. Malcolm (Kitchener)