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EMAIL & RESS

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4
Suite 2700

Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli:

**Re: Enbridge Gas Distribution Inc. - 2013 Rates (EB-2011-0354)
Request for Late Intervention by EnerCare Inc.**

On behalf of EnerCare Inc. ("EnerCare"), we are hereby requesting late intervenor status in the above-referenced proceeding.

EnerCare is a leading energy solutions provider that was established in 2002 as The Consumers' Waterheater Income Fund. EnerCare works with homeowners, property managers, multi-residential building owners, developers, condominium boards and residents to save energy, save money and achieve environmental protection objectives. EnerCare provides a range of energy solutions, including with respect to electricity and water sub-metering, water conservation, water heaters, furnaces and air conditioning.

EnerCare's interest in this proceeding is strictly limited to the issue of Open Bill Access. EnerCare is a direct participant in the Open Bill, as well as an indirect participant through their service provider Direct Energy Marketing Limited. As such, the terms on which Open Bill Access will be offered will potentially have a material impact on EnerCare.

The reason for this late request is that EnerCare only recently became aware of the need to formally seek intervenor status in this proceeding. In particular, EnerCare received a letter from Enbridge on June 28, 2012 advising that Enbridge filed a revised Open Bill Access Agreement as part of its 2013 rate proceeding. The letter included a link to the relevant evidence and invited questions by July 6, 2012. EnerCare submitted questions to Enbridge by such date and subsequently met with Enbridge representatives, at which time it was brought to EnerCare's attention that it would be necessary for EnerCare to intervene in the rate proceeding in order to participate in respect of the determination of this issue. This process differs from EnerCare's prior experience when it participated in Enbridge's consultative process on the Open Bill Access in 2009.

It is EnerCare's understanding that the Application as initially filed by Enbridge on January 31, 2012 did not propose any material changes to the Open Bill Access program but that Enbridge subsequently filed a June 8, 2012 update to its evidence which proposed substantial changes. It

is EnerCare's further understanding that the rate proceeding is currently well advanced and that the interrogatory period has now closed. Furthermore, EnerCare has reviewed the late intervention request filed on August 10, 2012 by the HVAC Coalition and the August 16, 2012 response from Enbridge, which sets out an agreement between HVAC Coalition and Enbridge on a proposal to accommodate the late intervention (the "OBA Proposal").

If EnerCare's intervention request is granted, and should the Board endorse the OBA Proposal, EnerCare intends to participate in this proceeding through the procedural steps and in accordance with the timelines provided for under the OBA Proposal. If the Board does not endorse the OBA Proposal, EnerCare would instead seek to participate in any remaining procedural steps in the proceeding, strictly with respect to the Open Bill Access issue. EnerCare does not intend to seek an award of costs.

Please send further communications with respect to this matter to:

Intervenor:

EnerCare Inc.
4000 Victoria Park Avenue
Toronto, ON
M2H 3P4

Attention: Mr. John Toffoletto, SVP & General Counsel
Ph. 416-649-1862
Email jtoffoletto@enercare.ca

Intervenor's Counsel:

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Attention: Mr. Jonathan Myers
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Yours truly,



Jonathan Myers

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cc: J. Toffoletto, EnerCare
N. Ryckman, Enbridge
All Parties