

September 18, 2012

Crawford Smith
Tel 416.865.8209
csmith@torys.com

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

Dear Ms. Walli:

**Re: EB-2012-0087
Union Gas Limited – Request for Extension**

We are counsel to Union Gas Limited (“Union”) in the above-noted matter. We are writing with respect to the delivery of Union’s written reply argument and to request a brief extension for the delivery of that argument.

Pursuant to Procedural Order No. 3, the Board determined that it would receive argument in respect of a preliminary issue in this matter. That issue is whether Union has treated the upstream transportation optimization revenues appropriately in 2011 in the context of Union’s existing IRM framework? The matter is of considerable importance to Union. Based on the arguments received ratepayers are seeking a significant adjustment to Union’s 2011 earnings sharing calculation.

The schedule for argument was set out in Procedural Order No. 4. It provides that intervenor argument was to be received on September 14 with Union’s reply argument to be served by September 21. Unfortunately, given the length of argument received and the fact that at least one argument was received after the deadline and another supplemented earlier this week, we may be unable to properly respond on Union’s behalf by the 21st. In the circumstances, we respectfully request a brief extension of time in which to deliver Union’s reply argument to September 24, 2012, being the Monday immediately following the current deadline.

Thank you for considering our request.

Yours truly,



Crawford Smith

Tel 416.865.8209
csmith@torys.com

CS/tm

cc: All EB-2012-0087 Intervenors
Michael Millar/Kristi Sebalj, Board Staff