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October 12, 2012

BY COURIER AND RESS

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

Dear Ms. Walli:

## Re: Board's Motion to Review re Natural Resource Gas Limited EB-2012-0396

We are counsel to Integrated Grain Processors Co-operative Inc. ("**IGPC**") which was an intervenor in Natural Resource Gas Limited ("**NRG**") rates application, EB-2010-0018, and the leave to construct application, EB-2006-0243, in respect of the dedicated pipeline (the "**Pipeline**") constructed to supply natural gas to IGPC's ethanol facility in Aylmer, Ontario. We are writing in response to the Notice of Motion to Review and Procedural Order No. 1 ("**Motion to Review**") issued by the Board on October 4, 2012.

In the Motion to Review the Board correctly notes that a dispute arose between IGPC and NRG with respect to the actual costs of constructing the Pipeline. IGPC acknowledges that the question formulated by the Board and included in the Motion to Review invites submissions about the jurisdiction of the Board to determine the proper amount of the capital contribution owed by IGPC to NRG, including any refund.

IGPC seeks clarity in respect of whether the question formulated by the Board necessarily contemplates the dispute between IGPC and NRG in respect of the required reduction to the Letters of Credit ("LOC") which IGPC has provided to NRG as security. IGPC requests that the Board clarify whether the question about the Board's jurisdiction to determine the proper amount of the LOC currently due NRG is subsumed within the question set out in the Motion to Review. It if is not, IGPC submits that a second question should be asked which specifically raises the issue of the Board's jurisdiction to deal with the LOCs posted by IGPC and NRG's obligation to reduce same.

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Yours truly,

AIRD & BERLIS LLP

Original signed "Dennis O'Leary"

Dennis M. O'Leary

DMO:ct

cc Intervenors in EB-2010-0018

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