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April 16, 2013

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
27th floor
Toronto, ON M4P 1E4

Dear Ms Walli,

Enbridge Gas Distribution Inc. ("EGD") – 2012-2014 Demand Side Management ("DSM") Plan	
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Board File No.:	EB-2012-0394
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Our File No.:	339583-000126
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Pursuant to Procedural Order No. 1, we are writing to provide Canadian Manufacturers & Exporters' ("CME") comments on whether it would be possible to sever the 2013 and 2014 components of the Settlement Agreement relating to EGD's Application for approval of its 2013-2014 DSM Plan.

As noted in Procedural Order No. 1, the Settlement Agreement has been presented to the Board as a complete and non-severable agreement for both 2013 and 2014. As the Settlement Agreement is currently worded, the Board must either accept the entire agreement or reject the entire agreement.

At this stage, the parties have not had an opportunity to fully canvas the implications of severing the 2013 components of the Settlement Agreement from the 2014 components.

CME urges to Board to order that the parties reconvene confidential settlement negotiations so that the resulting implications can be fully discussed. Further settlement negotiations would not only allow for the parties to properly determine whether 2013 can be severed from 2014, but also whether the Settlement Agreement can be modified to allow for a limited hearing on the issue raised by Environmental Defense without losing the entire 2014 Agreement.

Yours very truly

A handwritten signature in blue ink, appearing to be 'VJD', followed by a long horizontal flourish.

Vincent J. DeRose
VJD/kt

- c. Shari Lynn Spratt (EGD)
All Interested Parties EB-2012-0394
Paul Clipsham (CME)