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June 3, 2013

BY EMAIL AND FILED VIA RESS

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700
Toronto, ON M4P 1E4

Dear Ms Walli:

**Re: EB-2013-0099: Enbridge Gas Distribution
Application re. Open Bill Access
Submissions re. Process**

We represent Enbridge Gas Distribution Inc. ("Enbridge" or the "Company").

We write in relation to Enbridge's recently filed Application for approval of the continuation of the Open Bill Access program. This Application is effectively a request for an extension of the existing program, with relatively minor updates. As issues about the Open Bill Access program were addressed in Enbridge's 2013 rates case through a lengthy ADR process involving all interested parties, there is a high level of awareness among such parties as to the key items around the Open Bill Access program.

In advance of filing this Application, Enbridge held a session with interested stakeholders, to explain what would be included in the Application. After the Application was filed, the Company had discussions with some interested parties about an appropriate process to follow to allow for the case to be addressed efficiently and expeditiously. Through those discussions, it appears that there is a common interest to proceed directly to Alternate Dispute Resolution (ADR) discussions, rather than spending time in any discovery phase of this proceeding.

This idea of proceeding directly to ADR, before any discovery/interrogatory process is based on an expectation that there is little if any additional information required by stakeholders in the context of the relatively modest relief sought in this Application. It is expected that moving directly to ADR will save some time, and assist with the goal of having all Open Bill Access issues resolved in time that Enbridge can implement its updated Open Bill contract in time for January 2014. To the extent that parties need information to undertake meaningful discussions at ADR, then Enbridge will provide that information in the context of ADR. Enbridge has discussed with some stakeholders that an approach can be followed where if there is additional information that needs to be on the record to support a Settlement Agreement, then this can be done in conjunction with the preparation and filing of any Settlement Agreement.

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On May 27, 2013, Enbridge wrote to all interested stakeholders (participants in the 2013 rates case, as well as all Billers within the Open Bill Access program), to propose that a letter would be written to the Board suggesting that the following items be part of the process for this case:

- (i) The Board would accept all parties from the 2013 rates case (including the "Open Bill Participants") as parties in this case;
- (ii) The Board would allow other interested parties to request intervenor status;
- (iii) In the first Procedural Order, the Board would convene an ADR process, with meetings to be co-ordinated by OEB Staff;
- (iv) The Procedural Order would require parties to report to the Board about the ADR process, by filing a Settlement Agreement or providing information about the status of the proceeding, on or before the end of August 2013; and
- (v) There would be allowance for the Board to issue further Procedural Orders as required to provide for the completion of the proceeding after that date.

Enbridge has not received any dissenting comments in response to its note to parties suggesting the process set out above.

Accordingly, for the reasons set out above, Enbridge requests that the Board include the process suggested above within the Procedural Order to be issued in this case.

Should you have any questions, please do not hesitate to contact me.

Yours very truly,

AIRD & BERLIS LLP



David Stevens

cc. Enbridge Gas Distribution
All parties registered in EB-2011-0354, and all Billers in the Open Bill program

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