

November 13, 2013

VIA EMAIL

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

**RE: Natural Resource Gas Limited
Board Proceeding Nos.: EB-2012-0406 and EB-2013-0081**

Dear Ms. Walli:

On November 11, we received written submissions from the Town of Aylmer on Issue No. 1 in the above proceeding. The cover letter sent with those submissions stated that those submissions would be filed with the Board.

These proceedings are governed by Procedural Order No. 5 issued October 11, 2013 (copy attached). Procedural Order No. 5 specifically sets out (a) which of the parties have standing to file written submissions with the Board, and (b) the dates on which those submissions must be filed.

Procedural Order No. 5 does not permit the Town of Aylmer to file any written submissions. Accordingly, NRG respectfully requests that the written submissions filed by the Town of Aylmer be removed from the Board file and destroyed. They were filed in breach of Procedural Order No. 5, and the Board should not be tainted with written submissions filed in breach of its Procedural Order.

If you are not able to confirm that all copies of the written submissions of the Town of Aylmer have been removed from the Board file, we would ask that the Board issue a Decision and Reasons on this issue.

Apart from the obvious breach of a very clear and specific Procedural Order No. 5, the Town of Aylmer delayed filing its written submissions until the end of the same day on which NRG's responding submissions on Issue No. 1 were required to be filed. As a result, the Town of Aylmer waited until NRG would have no opportunity to respond.

If the written submissions of the Town of Aylmer are filed with the Board, the Board will hear only one side of that issue. Because Procedural Order No. 5 does not permit NRG to respond, the Board would be hearing submissions from the Town of Aylmer without hearing NRG's response.

This would be a clear breach of the rules of procedural fairness and natural justice.

Procedural Order No. 5 did not permit the Town of Aylmer to file written submissions. For that reason, it did not make any provision for NRG to respond to submissions from the Town of Aylmer. However, if the written submissions of the Town of Aylmer are not removed from the Board file, NRG will have to have an opportunity to respond.

If the written submissions of the Town of Aylmer are not removed from the file, NRG will have to make an immediate request to the Board for adequate time to prepare a response to the Town of Aylmer.

Yours truly,



Lawrence E. Thacker

LET/rk
Encl.

cc Integrated Grain Processors Co-Operative Inc.
Natural Resource Gas Limited
Intervenors