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By electronic filing

March 18, 2014

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

Dear Ms. Walli,

Enbridge Gas Distribution Inc. – GTA Project (EB-2012-0451)
Union Gas Limited – Parkway West Project (EB-2012-0433)
Union Gas Limited – Brantford-Kirkwall/Parkway D (EB-2013-0074)
Our File No.: 339583-000158

Please consider this correspondence as a response by Canadian Manufacturers & Exporters (“CME”) to the comments on Cost Claims filed by Union Gas Limited (“Union”) and Enbridge Gas Distribution Inc. (“EGD”) on March 11, 2014.

Neither Union nor EGD has directly taken issue with the Cost Claim submitted by CME. That said, CME feels it is necessary to respond to the following statement contained in EGD’s correspondence:

“Given the variance in hours claimed by Intervenor, Enbridge has provided this analysis to inform the Board of this disparity and believes the Board should take a potential normalizing view of the number of hours claimed into consideration in determining eventual cost awards.”

For the reasons that follow, CME submits that “normalizing” the number of hours claimed by intervenors would be inappropriate and unfair.

First, to do so would ignore the reality that, particularly in a complex hearing such as this combined proceeding, different parties may have substantially different levels of involvement. As the Board would have witnessed during the proceeding, some intervenors took a lead role on one or more issues, while other intervenors did not do so. The range of hours claimed by intervenors reflects this fact.

Moreover, not only was the evidence in this proceeding complicated, but the evidence addressing how short haul transportation from Parkway to Maple would be achieved changed numerous times over the course of this proceeding. In this regard, CME provided a chronology of changes that occurred over the course of the combined hearing, pertaining to the increase in incremental short haul capacity, at

paragraph 23 of its Written Submissions. These changes in the evidence dramatically increased the hours for those parties that had an interest in the development of incremental short haul capacity.

Second, much activity occurs outside of the hearing room which is not seen by the Board Panel. The level of cooperation in this combined proceeding was very high. Intervenor worked together, not only during the Settlement Conference, but also during the proceeding itself. While it is not possible for the Board Panel to be provided with details of the Settlement Conference, or with details of cooperation that occurred between the parties outside of the hearing, we are confident that Board Staff and/or Board Counsel can confirm that this occurred.

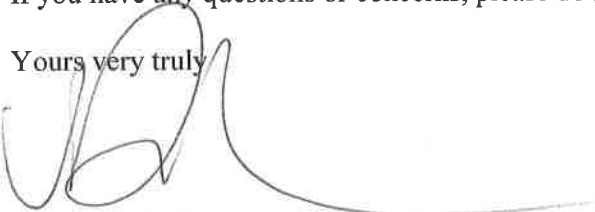
Third, total hours or total costs claimed by an intervenor, as compared to other intervenors, should not be used as a mathematical basis to “normalize” cost awards. To do so ignores the reality that, in any proceeding, some intervenors take a more active role and others take a more passive role. By way of example, in this case the Vulnerable Energy Consumers Coalition (“VECC”) elected to take a relatively limited role - claiming only 102.4 hours. Merely because VECC took a more limited role should not be the basis to reduce the Cost Claims of other parties who, while acting entirely responsible, claimed more hours because of their greater involvement in the process.

We submit that the time and disbursements documented in CME's Cost Claim represents services reasonably provided by CME's solicitors in responding to the unique and ever-changing dynamics of the combined application.

If the Board has material concerns with any of the services for which CME seeks an award of reasonably incurred Costs then we request notice of such concerns and an opportunity to respond to them before any ruling is made.

If you have any questions or concerns, please do not hesitate to contact me directly.

Yours very truly



Vincent J. DeRose

- c. Shari Lynn Spratt (EGD)
Scott Stoll (Aird & Berlis LLP)
Karen Hockin (Union Gas)
Crawford Smith (Torys LLP)
Intervenors in EB-2012-0451, EB-2012-0433 and EB-2013-0074
Paul Clipsham

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