



June 1, 2008

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

Dear Ms. Walli:

Re: EB-2008-0106 – Notice of Intervention and Request for Cost Eligibility Determination for the Building Owners and Managers Association of the Greater Toronto Area – Commodity Pricing, Load Balancing and Cost Allocation Methodologies for Natural Gas Distributors in Relation to Regulated Gas Supply

This letter is in response to the Board's May 29, 2008 letter related to the Notice of Proceeding on Commodity Pricing, Load Balancing and Cost Allocation methodologies for Natural Gas Distributors in Relation to Regulated Gas Supply. Two paper copies have been provided to the Board and an electronic version has been file through the Board's web portal at www.errr.oeb.gov.on.ca. Copies have also been sent to Enbridge Gas Distribution Inc., Union Gas Limited and Natural Resource Gas Limited.

Statement of Interest

The Building Owners and Managers Association of the Greater Toronto Area ("BOMA Toronto") is an international organization of 18,000 commercial real estate professionals. BOMA Toronto, with a network of over 750 members, represents the association in the Greater Toronto area. BOMA Toronto has consistently represented the voice of large commercial energy consumers in Ontario. Our volunteer Strategic Energy Committee operates to develop policy and solicit input from our broader membership on energy matters affecting them. This structure provides for a robust and inclusive representation of the views of large commercial customers.

BOMA Toronto represents more than 350 companies serving the commercial real estate market. Member companies manage over 150 million square feet of industrial, commercial and institutional properties throughout the Greater Toronto Area and beyond.

BOMA Toronto members receive regulated natural gas service from Enbridge Gas Distribution Inc. primarily under rates 6 and 100. BOMA Toronto wishes to intervene because the Board's decision in this proceeding may have an effect on the BOMA members that currently receive regulated gas supply, balancing and delivery services from Enbridge. Because of the cost allocation issue being raised, the Board's decision in this proceeding may also have an effect on the rates paid for regulated services taken by the BOMA members that currently are direct purchase.

Cost Eligibility

BOMA Toronto intends to seek an award of costs. BOMA Toronto is a not for profit entity. It undertakes to serve its members utilizing volunteer committee work to the greatest extent possible. However, participating in more substantive proceedings, such as that involved here, requires us to engage outside consultants, the cost of which are not included in the operating budget for the organization.

As indicated above, BOMA Toronto is comprised of commercial customers of Enbridge Gas Distribution Inc. that take regulated services from Enbridge. Its members have a substantial interest in these proceedings, including all issues that affect rates and services available to them.

The Board's cost eligibility criteria, found in Section 3 of the Practice Directions on Cost Awards includes a number of criteria related to BOMA Toronto. Specifically, Section 3.03 states that a party is eligible to apply for a cost award where the party primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services. As indicated above, BOMA Toronto is intervening on behalf of its members which are consumers (i.e. ratepayers) in relation to regulated services provided by Enbridge. As such, the BOMA Toronto submits that it is eligible for a cost award under Section 3.03.

BOMA Toronto notes that it has been found to be eligible for an award of costs in other proceedings before the Ontario Energy Board.

Communications

All communications related to this process should be directed to:

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Yours truly,



Chuck Stradling
Executive Vice President
BOMA Toronto

cc: Mark Kitchen, Union Gas
Patrick Hoey, Enbridge Gas Distribution
Mark Bristoll, Natural Resource Gas Limited