

December 13, 2018

VIA RESS AND COURIER

Ms. Kirsten Walli
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Dear Ms. Walli:

Re: EB-2018-0331 – Enbridge Gas Distribution Inc. (EGD), Union Gas Limited (Union) and EPCOR Natural Gas Limited Partnership (EPCOR) Disposition of Cap and Trade-Related Deferral and Variance Accounts for the period 2016-2018.

Confidential Treatment of Evidence.

We are in receipt of the letter of even date to the Board from Mr. Rubenstein, SEC's counsel herein. Mr. Rubenstein suggests that the Board reconsider its previously defined framework for confidential treatment of information related to cap and trade compliance activities (Cap & Trade Confidentiality Framework). For the reasons detailed by Mr. Rubenstein, IGUA submits that the Board's Cap & Trade Confidentiality Framework should not be applied to the filings in this proceeding, and that all filings herein should, to the extent required, be processed under the Board's *Practice Direction on Confidential Filings*.

As detailed in Mr. Rubenstein's letter:

1. The *Climate Change Mitigation and Low-Carbon Economy Act, 2016* and Ontario Regulation 144/16 thereunder have now been repealed, and there is no legislative basis on which cap & trade related utility compliance information must be subject to confidentiality.
2. With the interim prohibition on trading of cap & trade instruments and the current lack of any carbon or other emission allowance trading activities in Ontario, there is no apparent basis upon which utility cap & trade compliance information should be subject to confidentiality.

The Board's Cap & Trade Confidentiality Framework, which relied on both legislated confidentiality requirements and trading driven strategic concerns, is thus equally spent, and should no longer be applied.

Should any of the utilities feel that any of the information required for proper review of the prudence of their cap & trade compliance costs should nonetheless be filed in confidence, they can avail themselves of the Board's *Practice Direction on Confidential Filings* to assert their position and the Board can evaluate the merits of any such position as it normally does and direct parties accordingly.

Yours truly,


Ian A. Mondrow

c: T. Persad (EGD)
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Intervenors of Record EB-2016-0296/0300/0330
Intervenors of Record EB-2017-0224/0255/0275

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