

January 23, 2019

VIA RESS AND COURIER

Ms. Kirsten Walli
ONTARIO ENERGY BOARD
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Ian A. Mondrow
Direct 416-369-4670
ian.mondrow@gowlingwlg.com

Assistant: Cathy Galler
Direct: 416-369-4570
cathy.galler@gowlingwlg.com

Dear Ms. Walli:

Re: EB-2018-0319 – Enbridge Gas Distribution Gas Inc. – Open Bill Access Services.
Industrial Gas Users Association (IGUA) Request for Late Intervention.

We write as legal counsel to IGUA to request that IGUA be granted late intervenor status in the captioned proceeding.

A combination of the holiday season and a delay in confirming instructions resulting from circumstances personal to those from whom we required instructions has resulted in this request for intervention being a bit late (just over a week). We are aware that one Procedural Order has been issued (the day after the close of the intervention period), but other than consideration of intervention requests no substantive steps have yet occurred. We will be able to meet the procedural deadline set for intervenor interrogatories and the granting of this request for late intervention should not interfere with the process herein to date.

Description of IGUA

IGUA is an association of industrial companies located in the Canadian provinces of Ontario and Québec, who use natural gas in their industrial operations. IGUA was first organized in 1973 and it provides a coordinated and effective public policy and regulatory voice for those industrial firms depending on natural gas as a fuel or feedstock. IGUA has become the recognized voice representing the industrial user of natural gas before regulatory boards and governments at both the provincial and national levels.

The Association's activities are guided by a 15 member Board of Directors, constituted to assure that each industrial sector and geographic region is represented. The Board of Directors has regularly scheduled meetings at least six times each year. A full time President and other staff are based in a permanent office in Ottawa.

Through regulatory intervention, government advocacy, marketing, promotion, partnerships, education and outreach, IGUA successfully represents industrial gas users. Our mission is to be the voice of our members within the natural gas industry through intervention, advocacy, and partnerships.

Nature and Scope of IGUA's Intended Participation/Reason for Late Intervention

IGUA's interest in this matter is with respect to the basis upon which costs and revenues related to the program are allocated. In particular, Enbridge Gas (EG) proposes that costs used to determine net revenues from the program and in turn, for input into earnings sharing calculations, will be the costs applicable to the program at the end of 2018, escalated for inflation. [See Exhibit B, Tab 1, Schedule 1, page 2.] Subject to further review of the filed material, the history of this activity, and any further information provided by way of interrogatory responses, it is not clear to us why earnings sharing under the new 5 year EG rate plan which commences in 2019 should be determined, in respect of this revenue stream, by deemed rather than actual costs.

Intention to Seek an Award of Costs

IGUA also hereby requests that it be determined eligible for recovery of its reasonably incurred costs of its intervention herein.

As a party primarily representing the direct interests of industrial consumers (i.e. ratepayers) in relation to regulated services, IGUA has in the past been determined to be eligible for cost awards pursuant to section 3.03(a) of the Board's *Practice Direction on Cost Awards*.

Request for Written Evidence and Contact Information

We have retrieved and reviewed electronic copies of all materials filed in this matter to date, and do not require hard copies. IGUA requests that copies of further filings related to this matter be directed to it as follows:

Ian Mondrow, Partner
GOWLING WLG (CANADA) LLP
Suite 1600, 1 First Canadian Place
100 King Street West
Toronto, Ontario
M5X 1G5

Phone: 416-369-4670
Fax: 416-862-7661
E-Mail: ian.mondrow@gowlingwlg.com

Dr. Shahrzad Rahbar
President
INDUSTRIAL GAS USERS ASSOCIATION
260 Centrum Boulevard, Suite 202
Orleans, Ontario
K1E 3P4

Office: 613-236-8021
Mobile: 613-983-2927
E-Mail: srahbar@igua.ca

Yours truly,


Ian A. Mondrow

c: K. Culbert (EGD)
L. Chiasson (EGD)
D. Stevens (Aird & Berlis)
S. Rahbar (IGUA)
D. Lau (OEB Staff)
K. Viraney (OEB Staff)
Intervenors of Record

TOR_LAW\9775040\1