



May 30, 2007

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

Dear Ms. Walli,

RE: BOMA Toronto Notice of Intervention – EB-2007-0606/EB-2007-0615

Please find attached a Notice of Intervention of BOMA Toronto in the above noted application.

Sincerely,

Chuck Stradling
Executive Vice President
BOMA Toronto

Encl.

cc: Mike Packer, Union Gas Limited
Patrick Hoey, Enbridge Gas Distribution Inc.
Randy Aiken, Aiken & Associates

**NOTICE OF INTERVENTION
OF THE
BUILDING OWNERS AND MANAGERS ASSOCIATION OF THE GREATER
TORONTO AREA**

Statement of Interest

1. 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.

2. 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.

3. BOMA Toronto members receive regulated natural gas service from Enbridge Gas Distribution Inc. and Union Gas primarily. BOMA Toronto wishes to intervene in this proceeding because the issues, methodologies and impacts raised by these applications may result in changes to regulated rates. The possibility of different proposals between Union Gas and Enbridge Gas also raise issues of fairness and equity for customers of one utility but not of the other.

Intervention

4. BOMA Toronto hereby gives notice of its intention to intervene in, and appear at, all phases of the public Hearing.

5. BOMA Toronto reserves the right to be heard, to appear by or with counsel and/or consultant, to ask interrogatories and to cross-examine on all matters raised during the proceeding that may relate to its interests, to adduce evidence on specific matters of its choice related to the Applications, and to present argument.

6. BOMA Toronto hereby requests that the Board, Union Gas, Enbridge Gas and all other parties provide it with copies of all evidence and correspondence related to the Application and the Hearing.

Written or Oral Hearing

7. BOMA Toronto prefers an oral hearing to deal with the comprehensive and complex issues that will be raised as part of this proceeding. BOMA Toronto believes that the Board and intervenors would be assisted by face to face discussions of the issues that an oral hearing provides. A written hearing does not allow for a comprehensive review of the methodologies, impacts and often technical issues and complexities associated with the introduction of incentive rate applications that will have an impact on rates for a number of years.

Cost Eligibility

8. 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 BOMA's operating budget.

9. As per Section 4.01 of the Practice Directions on Cost Awards, dated October, 2005, BOMA Toronto believes that it is eligible for an award of costs based on the Board's eligibility criteria and requests the Board's determination of such cost eligibility.

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

11. 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 and Union. As such, the BOMA Toronto submits that it is eligible for a cost award under Section 3.03.

12. 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

13. All communications related to this Notice of Intervention and to this proceeding should be directed to:

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Toronto, Ontario, M5H 3R3

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AND Mr. Randy Aiken
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Chatham, Ontario, N7L 4J6

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E-mail: raiken@xcelco.on.ca

DATED at Toronto, Ontario this 30th day of May, 2007.



Chuck Stradling
Executive Vice President
BOMA Toronto