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File: 5148

Sent by Courier and Electronic Mail

July 23, 2008

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

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: LIEN's Written Submissions on Draft Issues List
Board File EB-2008-0106
Commodity Pricing, Load Balancing, and Cost Allocation Methodologies for
Natural Gas Distributors in Relation to Regulated Gas Supply**

In accordance with the Board's Procedural Order No. 1, issued on July 9, 2008, the Low-Income Energy Network (LIEN) hereby makes its written submissions on the draft issues list included in Appendix B of the Procedural Order.

LIEN's submissions are made in the context of the recent Divisional Court Decision *Low-Income Energy Network v. Ontario Energy Board*,¹ in which it was decided that the Board has jurisdiction to establish a rate affordability assistance program for low-income consumers of natural gas under section 36 of the Ontario Energy Board Act.

Since that decision, the Board has initiated a consultation process to examine issues associated with low-income energy consumers in relation to their use of natural gas and electricity (Board File EB-2008-0150). LIEN acknowledges the consultation as one forum for the exploration of low-income issues. However, at present, the outcome of that consultation and its ultimate impact on energy rates for low-income consumers is unknown. In the meantime, the issue of rate affordability continues to be relevant to every strand of the rate-making process. This generic proceeding on methodologies for natural gas distributors is one such strand.

LIEN respectfully submits that, in determining methodologies for commodity pricing, load balancing and cost allocation for natural gas distributors in relation to regulated gas

¹ (May 16, 2008), Ont. Sup. Ct. (Div. Ct.), Court File No. 273/07.



supply, the Board should ensure that adequate provision is made to accommodate and integrate programs for rate assistance for low-income consumers, prospectively and retrospectively, when such programs are developed.

PROPOSED ISSUE

LIEN proposes that the following issue be added to the issues list for this proceeding:

- ♦ What provision should be made, in the methodologies to be determined pursuant to this proceeding for commodity pricing, load balancing and cost allocation for natural gas distribution in relation to regulated gas supply, to accommodate and integrate a rate affordability assistance program for low-income consumers, prospectively and retrospectively, when such programs are developed?

Yours truly,

A handwritten signature in blue ink, appearing to read 'Paul Manning', is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

Paul Manning

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