



September 8, 2008

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

Dear Ms. Walli:

**Re: EB-2008-0280 - Notice of Intervention and Request for Cost Eligibility Determination for the Building Owners and Managers Association of the Greater Toronto Area – Guidelines for the Pre-Approval of Long-Term Gas Supply and/or Upstream Transportation Contracts**

This letter is in response to the Board's August 22, 2008 letter related to the Guidelines for the Pre-Approval of Long-Term Gas Supply and/or Upstream Transportation Contracts. Three paper copies have been provided to the Board and an electronic version has been filed through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca). Copies have also been sent to Enbridge Gas Distribution Inc., Union Gas Limited and Natural Resource Gas Limited by e-mail.

**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 actively participate in this process because the Board's decision in this proceeding may have an effect on the BOMA members that currently receive regulated gas supply, upstream transportation, balancing and delivery services from Enbridge. The guidelines that result from this proceeding may have an effect on the rates paid for these regulated services taken by BOMA members.

### **Cost Eligibility**

BOMA Toronto is requesting that the Board determine that it is eligible for a cost award for all activities related to this proceeding. 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.

BOMA Toronto submits that it is eligible to apply for a cost award based on section 3.03 (a) of the Practice Direction on Cost Awards. In particular, BOMA "primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services". The Board has found BOMA to be eligible for cost awards in numerous natural gas and electricity proceedings before the Board.

As a non-profit organization, BOMA does not have access to any other funding sources. BOMA relies on the cost awards it receives from the Board to effectively participate in, and assist the Board, in these regulatory proceedings.

## **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  
Norm Ryckman, Enbridge Gas Distribution  
Mark Bristoll, Natural Resource Gas Limited