## AIRD & BERLIS LLP

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**ONTARIO ENERGY BOARD** 

## BY EMAIL AND REGULAR MAIL

December 7, 2007

Kirsten Walli, Board Secretary Ontario Energy Board P.O. Box 2319, 26th Floor 2300 Yonge Street Toronto, ON M4P 1E4

Dear Ms Walli:

Re:

Enbridge Gas Distribution Inc.: 2007 CASDA Application

EB-2007-0731

We are counsel to Enbridge Gas Distribution Inc. ("EGD") in this Application and write in response to the recent letters from Union Gas and the Electricity Distributors Association ("EDA") regarding the timing and order of written argument in this proceeding.

EGD agrees that Union Gas and the EDA may, in future, be similarly situated with EGD presently. They may, therefore, take positions different from non-utility Intervenors. EGD is therefore supportive of Union Gas and the EDA filing their argument at the same time as Board Staff and having the opportunity to respond to the argument of other Intervenors.

EGD believes it is also appropriate that, as the Applicant, it have the opportunity to reply to all argument filed. EGD does not anticipate that it will require much time to consider and, if appropriate, respond to the reply arguments of Union Gas and the EDA.

Accordingly, EGD proposes that the schedule set out in Procedural Order No. 1 be varied to allow for Union Gas and the EDA to file their arguments on January 8th, and to file reply arguments either on January 23<sup>rd</sup> (as they have requested) or on another date chosen by the Board, with EGD to file its reply argument two days later on January 25<sup>th</sup>.

Yours very truly,

AIRD & BERLIS LLP

Dennis M. O'Leary

DMO/ct

Patrick Hoey, Enbridge Gas Distribution C.C.

Intervenors in EB-2007-0731