PETER C.P. THOMPSON, Q.C. direct tel.: (613) 787-3528 e-mail: pthompson@blgcanada.com

BORDEN LADNER GERVAIS

Kirsten Walli Board Secretary Ontario Energy Board P.O. Box 2319 27<sup>th</sup> floor 2300 Yonge Street Toronto, ON M4P 1E4

Dear Ms Walli

Enbridge Gas Distribution Inc. - 2007 CASDA Notice of Application dated October 26, 2007

Board File No.:

EB-2007-0731

Our File No.:

302701-000420

We are submitting this letter on behalf of our client, the Industrial Gas Users Association ("IGUA"), in response to a Notice of Application dated October 26, 2007, which we received on or about November 1 or 2, 2007.

- 1. IGUA applies for intervenor status in these proceedings.
- 2. IGUA is an association composed of industrial users of substantial quantities of gas distributed by Ontario gas distributors. IGUA members currently consume 144 Bcf of gas per annum, of which approximately 80 Bcf is consumed in Ontario. The members of IGUA are vitally concerned with the supply and price of gas and all other matters directly or indirectly affecting supply and prices. IGUA has appeared in previous proceedings before this Board involving EGD.
- 3. The members of IGUA, which carry out their industrial undertakings in the Province of Manitoba, Ontario and Québec, are listed in Schedule "A" hereto.
- 4. IGUA intends to consider and address all of the issues which the Board eventually lists for determination in these proceedings. IGUA questions whether the entire amount debited to the Class Action Suit Deferral Account ("CASDA") should be recoverable from ratepayers. A portion of the amount should be allocable to business risks which are a shareholder responsibility.
- 5. IGUA intends to seek an award of costs from EGD with respect to its participation in these proceedings on the grounds of its long standing status as an intervenor determined by the Board to be eligible for an award of costs.

Vancouver

Toront

Montroal

Salgary



6. IGUA requests that a copy of the pre-filed evidence of EGD be forwarded to its solicitors and to its President at:

Peter C.P. Thompson, Q.C.
BORDEN LADNER GERVAIS LLP
Barristers and Solicitors
World Exchange Plaza
100 Queen Street
Suite 1100
Ottawa ON K1P 1J9

Murray Newton President INDUSTRIAL GAS USERS ASSOCIATION 99 Metcalfe Street Suite 1201 Ottawa ON K1P 6L7

Telephone (613) 787-3528 Facsimile (613) 230-8842 Email pthompson@blgcanada.com Telephone (613) 236-8021 Facsimile (613) 230-9531 Email mnewton@igua.ca

Please contact me if the Board requires any further information.

Yours very truly

Peter C.P. Thompson, Q.C.

PCT\slc enclosure

Patrick Hoey (Enbridge Gas Distribution Inc.)
 Dennis M. O'Leary (Aird & Berlis LLP)
 Murray Newton (Industrial Gas Users Association)

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## Members/Membres

	Locations					Location	
Pulp & Paper/	Qué.	Ont.	Man.	Chemicals/	Qué.	Ont.	Man.
Pâtes et papier				Produits chimiques			
Abitibi-Consolidated Inc.	x	X		Air Liquide Canada Inc.	x	x	
Atlantic Packaging Products Ltd.		X		Cytec Canada Inc.		X	
Bowater Canadian Forest Products Inc.	X	X		E.I. du Pont Canada Company	X	X	
Cascades Inc.	X	X		Interquisa Canada s.e.c.	X		
Domtar inc.	X	X		INVISTA (Canada) Company		X	
Grant Forest Products		X		KRONOS Canada, Inc.	X		
Les Entreprises Tembec Inc.	X	X		NOVA Chemicals (Canada) Ltd.	X	X	
				Petresa Canada Inc.	X		
Metals/Métaux	=			Recochem Inc.	X	X	
Alcan Primary Metal Group Alcoa Primary Metals Dofasco Inc.	x x	X		Other Industries/ Autres industries			
Gerdau Ameristeel		X		Canadian Mist Distillers Limited		х	
Ivaco Rolling Mills		X		CertainTeed Gypsum	х	X	X
Mittal Canada Inc.	х	X		North American Services, Inc.	21	71	71
PanAbrasive inc.	Λ	X		CGC Inc.	X	X	
QIT-Fer et Titane Inc.	X	Λ		IKO Industries Ltd.		X	
Q11-Fei et Titalie IIIc.				Sensient Flavors Canada Inc.		X	
Mining Constitute & Defining/				Suncor Energy Marketing Inc.		X	
Mining, Smelting & Refining/ Mines, fonderies et raffineries				Tate & Lyle North American Sugars Ltd.		X	
				3M Canada Co.		X	X
Agrium		X		VFT Inc.		X	
Cameco Corporation		X		Walker Industries Holdings Limited		X	
CVRD Inco Limited		X					
Sifto Canada Inc.		X					
Xstrata Copper		X					
Xstrata Nickel		X					
Xstrata Zinc Canada	X						
Zochem, Division of Hudson Bay Mining & Smelting Co., Ltd.		X					