

October 27, 2008

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Kirsten Walli
Board Secretary
Ontario Energy Board
Suite 2701
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms Walli:

RE: EB-2008-0219

We are counsel to the Consumers Council of Canada ("CCC"). We have been instructed by our client to intervene in the Application of Enbridge Gas Distribution Inc. ("EGD") for an order approving rates for 2009.

The CCC is a public-interest entity which represents the interests of residential consumers of natural gas in Ontario. The granting of the order requested would have an impact on the rates which residential consumers pay for the delivery of natural gas.

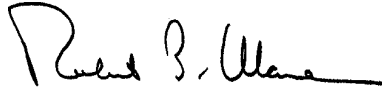
Based on the information contained in the Application, the CCC has no objection to EGD's proposal that the Application be considered in two phases. The CCC also accepts EGD's proposal for the conduct of Phase I, as outlined by EGD in Exhibit A, Tab 3, Schedule 1 at page 4. However, the CCC submits that it would be premature to determine, at this stage, whether Phase I of the Application can be considered in a written or an oral hearing. Depending on the nature of the information elicited in the process proposed by EGD, some cross-examination may be required. Accordingly, the CCC reserves the right to make a submission, at a later date, as to whether an oral hearing is required. If an oral hearing is required, the CCC would have no objection to an order approving rates on an interim basis, effective January 1, 2009.

The CCC intends to ask for an order of costs, at the conclusion of the proceeding. The CCC represents the interests of residential consumers. The CCC has participated in many of the applications of EGD, seeking a variety of orders, over a long period of time. In all of those proceedings, the CCC has been recognized as being eligible for an award of costs.

Copies of all Board notices, and of all evidence, should be sent to the writer, and to the CCC's consultant, Julie Girvan. Ms Girvan's contact information is: 2 Penrose Road, Toronto, ON M4S 1P1, telephone: (416) 322-7936, fax: (416) 322-9703, e-mail: jgirvan@ca.inter.net.

Yours very truly,

WeirFoulds LLP

A handwritten signature in black ink, appearing to read "Robert B. Warren". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert B. Warren

RBW/dh

cc: Enbridge Gas Distribution Inc., Attention: N. Ryckman
Aird & Berlis LLP, Attention: Fred Cass
Joan Huzar
Julie Girvan

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