



**FINANCIAL SERVICES DEPARTMENT  
KITCHENER UTILITIES**

James A. (Jim) Gruenbauer, CMA  
Manager, Regulatory Affairs & Supply  
City Hall, P.O. Box 1118  
200 King St. West, 5<sup>th</sup> Floor  
Kitchener, Ontario  
Canada, N2G 4G7  
Phone: 519-741-2616  
Cell: 519-580-3568  
Fax: 519-741-2633  
TDD: 519-741-2385  
e-mail: jim.gruenbauer@kitchener.ca

**BY E-MAIL & COURIER**

November 3, 2008

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

Dear Ms. Walli:

**Re: EB-2008-0220 – Union Gas Limited (“Union”) Rates for 2009 – Request for Intervention  
By the City of Kitchener (“Kitchener”)**

Pursuant to the Ontario Energy Board’s (“Board’s”) Notice of Application dated October 27, 2008, Kitchener wishes to actively participate in this proceeding.

Kitchener is an embedded gas distributor in the Southern Area of the franchise territory of Union and receives storage and transportation services under Rates T3 and M12. Kitchener was an active participant in EB-2007-0606 and is directly impacted by the proposed changes to rates in this Application pursuant to the annual rate setting incentive regulation mechanism. There are some aspects to Union’s Application (for example, the proposed Z Factor treatment of costs associated with conversion from Canadian GAAP to IFRS) that suggest an oral hearing may be preferable to a written hearing to obtain a clear and complete record. Kitchener is in the Board’s hands in this regard.

Kitchener does not expect to seek costs in these proceedings. If there are any questions or concerns with this request for intervention, please contact me at your earliest convenience.

Sincerely,

James A. Gruenbauer, CMA  
Manager, Regulatory Affairs and Supply

Cc: C. Ripley (Union)  
J. Alick Ryder, Q.C. (RWBH)  
W. Malcolm (Kitchener)