



November 4, 2008

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

Dear Ms. Walli:

Re: EB-2008-0346 – Notice of Intervention and Request for Cost Eligibility Determination for the Building Owners and Managers Association of the Greater Toronto Area – Consultation on the Development of Demand Side Management Guidelines for Natural Gas Distributors

This letter is in response to the Board's October 31, 2008 letter related to the Consultation on the Development of Demand Side Management Guidelines for Natural Gas Distributors (EB-2008-0346). Two 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.

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 800 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. BOMA Toronto wishes to intervene because the Board's decision in this proceeding may have an effect on the BOMA members that receive regulated natural gas distribution services from Enbridge. Because of the issues that are or may be raised, the Board's decision in this proceeding may have an effect on the rates paid for regulated services taken by the BOMA members.

Cost Eligibility

BOMA Toronto intends to seek an award of costs and requests a determination of its eligibility for a cost award in this process. 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.

The Board's cost eligibility criteria, found in Section 3 of the Practice Directions on Cost Awards includes a number of criteria related to BOMA Toronto. Specifically, Section 3.03 states that a party is eligible to apply for a cost award where the party primarily represents the direct interests of consumers (e.g. ratepayers) in relation to regulated services. As indicated above, BOMA Toronto is intervening on behalf of its members which are consumers (i.e. ratepayers) in relation to regulated services provided by Enbridge. As such, the BOMA Toronto submits that it is eligible for a cost award under Section 3.03.

BOMA Toronto notes that it has been found to be eligible for an award of costs in other proceedings before the Ontario Energy Board.

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

The Board's October 31, 2008 letter also indicated that the name and credentials of any consultant that will be retained for this consultation should be provided. BOMA Toronto will be utilizing the services of Mr. Randy Aiken of Aiken and Associates in this matter. A short statement of Mr. Aiken's credentials is attached.

Communications

All communications related to this process should be directed to:

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AND Mr. Randy Aiken
Aiken & Associates
578 McNaughton Ave. West
Chatham, Ontario, N7L 4J6

Telephone: 519-351-8624
Facsimile: 519-351-4331
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Yours truly,



Chuck Stradling
Executive Vice President
BOMA Toronto

RANDY AIKEN – AIKEN & ASSOCIATES

UNIVERSITY EDUCATION

1983 M.A. (Economics), University of Waterloo
1981 B.Math. (Honours Statistics with Economics), University of Waterloo

PROFESSIONAL QUALIFICATIONS

1994 Certificate in Financial Planning

CAREER HISTORY

1992 - Present **AIKEN & ASSOCIATES, Chatham, Ontario**

* Leading a team of public utility professionals providing services in the areas of utility economics, finance, regulation and litigation.

* Providing consulting services and expertise in the areas of public utility regulatory case management, cost of service regulation (including models), incentive regulation, litigation support, evidence preparation, sales and revenue forecasting (including models), economic analysis, O & M budget analysis, capital project analysis (including financial analysis models), cost allocation (including models), rate design and regulatory support.

* Provide expert testimony on behalf of clients before the Ontario Energy Board.

* Provide cross-examination of expert witnesses on behalf of clients before the OEB.

1986 - 1992 **UNION GAS LIMITED, Chatham, Ontario**
 Senior Economist 1987-1992
 Supervisor Forecasts & Market Statistics 1986-1987

1984 - 1986 **CHASE ECONOMETRICS (now Global Insight), Toronto, Ontario**
 Economist

APPEARANCES BEFORE ONTARIO ENERGY BOARD

As a Witness

EB-2006-0243 - Leave to Construct – Natural Resource Gas Limited
EB-2005-0544 - Main Rates Case - Natural Resource Gas Ltd. (Rates for 2007)
EB-2005-0188 - Natural Resource Gas Limited – Motion to Vary
RP-2004-0167 - Main Rates Case - Natural Resource Gas Limited (Rates for 2005)
EB-2004-0004 - PGCVA Amendment - Natural Resource Gas Limited
RP-2002-0147 - Main Rates Case – Natural Resource Gas Limited (Rates for 2003, 2004)
RP-2000-0023 - Distribution Rates - Hydro One Networks Inc. (on behalf of London Hydro, Ottawa Hydro, St. Catharines Hydro, Oshawa PUC Networks and Enersource Mississauga Hydro)
RP-2001-0036 - Uniform Transmission Rates - Five Nations Energy Inc.
RP-2000-0126 - Main Rates Case - Natural Resource Gas Ltd. (Rates for 2001, 2002)
RP-1999-0031 - Main Rates Case - Natural Resource Gas Ltd. (Rates for 2000)
E.B.R.O. 496 - Main Rates Case - Natural Resource Gas Ltd. (Rates for 1998, 1999)
E.B.R.O. 491 - Main Rates Case - Natural Resource Gas Ltd. (Rates for 1996, 1997)
E.B.R.O. 488 - Main Rates Case - Natural Resource Gas Ltd. (Rates for 1995)
E.B.R.O. 480 - Main Rates Case - Natural Resource Gas Ltd. (Rates for 1993, 1994)
E.B.R.O. 470 - Main Rates Case - Union Gas Ltd.
E.B.R.O. 462 - Main Rates Case - Union Gas Ltd.

E.B.L.O. 237 - Facilities Application - Union Gas Ltd.
E.B.L.O. 234 - Facilities Application - Union Gas Ltd.
E.B.L.O. 230 - Facilities Application - Union Gas Ltd.

Cross-Examination & Submissions

EB-2007-0606/EB-2007-0615 – Incentive Rate Mechanism for Union and EGD
EB-2007-0598 - Union Gas Fiscal 2006 Variance Account and Earnings Sharing
EB-2006-0034 - Enbridge Gas Distribution Inc. Rates for 2007
EB-2006-0021 - Natural Gas DSM Generic Issues
EB-2005-0211 - Union Gas Cushion Gas Disposition
EB-2005-0520 - Union Gas Rates for 2007
EB-2005-0449 - Union Gas Rates for 2006
EB-2005-0189 - Union Gas Motion to Vary
RP-2003-0063 - Union Gas Rate Case – Fiscal 2004
RP-2002-0158 - Review of Board's Guidelines for Setting ROE
EB-2003-0056 - Quarterly Rate Adjustment Mechanism – Union Gas Ltd. (May, 2003)
RP-2002-0130 - Customer Review Process – 2003 Rates - Union Gas Limited
RP-2001-0029 - Customer Review Process - Union Gas Limited
RP-1999-0017 - Unbundling & Performance Based Regulation - Union Gas Limited
E.B.R.O. 499 - Main Rates Case - Union Gas Limited

Mr. Aiken has testified before the Ontario Energy Board on numerous occasions as an expert witness on forecasting, cost allocation and rate design matters. Mr. Aiken has designed, built and updated cost allocation, regulatory, financial, energy, and provincial and national economic forecasting models for more than twenty years. Mr. Aiken also provides expertise to clients in reviewing and understanding regulatory filings, including cost of service, incentive regulation, cost allocation filings and models.

Mr. Aiken's clients include electricity distribution companies, natural gas distribution companies, electric transmission companies, electricity generators, non-profit customer associations and legal firms.

Mr. Aiken has also participated in numerous Ontario Energy Board sponsored consultative and working groups on behalf of various clients.

A more complete listing of projects and proceedings is available upon request.