

November 6, 2008

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

File 10606

Dear Ms Walli:

Re: EB-2008-0292

We are counsel to the Consumers Council of Canada. Pursuant to Procedural Order No. 1, we are summarizing, below, the submissions we propose to make, on behalf of our client, on the hearing of the Motion herein, on Monday, November 10, 2008.

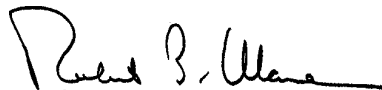
On behalf of the CCC, we will make the following submissions:

1. That the Decision and Order, dated July 31, 2008, is not ambiguous, and does not, therefore, require clarification;
2. That what Union Gas Limited ("Union") is seeking is not clarification of the Decision and Order, but rather a fundamental change in the Order and Decision to reduce Union's obligation to share, with ratepayers, the benefit of changes in tax rates which occur within the term of Union's IR Plan, and that the Board should not grant Union that relief;
3. That there is no new evidence or change in circumstances that warrant the granting of the relief which Union seeks.

The CCC does not propose to make any submissions with respect to the issue of Union's risk management cost.

Yours very truly,

WeirFoulds LLP


Robert B. Warren

cc: Union Gas Limited
Attention: Mike Packer and Connie Burns
cc: Torys, Attention: Michael Penny
cc: Julie Girvan
cc: All Intervenors
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