

**By E-Mail Only**

July 12, 2007

Ms. 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:

**Re: EB-2007-0606/EB-2007-0615 – Multi-Year Incentive Rate Regulation for Natural Gas Utilities**

I am the consultant for the Building Owners and Managers Association of the Greater Toronto Area (“BOMA”), the London Property Management Association (“LPMA”) and the Wholesale Gas Service Purchasers Group (“WGSPG”) in the above noted proceeding. I am writing in response to Procedural Order No. 2, dated July 9, 2007. I am unable to attend and provide oral submissions on Friday July 13, 2007. Please bring this letter to the attention of the Panel.

In my letter of July 6, 2007, I wrote on behalf of my clients in support of the comments made by Mr. Warren on behalf of the Consumers Council of Canada and Mr. Thompson on behalf of the Industrial Gas Users Association in their letters to the Board dated July 4, and July 6, respectively. My clients continue to support a combined proceeding rather than separate proceedings. Separating the proceedings would be both inefficient and costly.

Moreover, my clients are concerned that if the process is split into two separate proceedings, one of which is likely to be approximately one month behind the other in terms of the schedule, there could be significant problems with the overlap of the timelines that may hamper the ability of intervenors to effectively participate in each of the utility cases. For example, it is quite possible that the oral hearing for Union could be scheduled for the same time as the settlement conference for Enbridge. If this were to be the case, intervenors may concentrate on the Union hearing, and not be available to settle many issues with Enbridge at a settlement conference. The result could be a longer than necessary oral hearing for Enbridge. If the Board does ultimately decide to split the process into two separate proceedings, I strongly recommend that the timetable for each of the cases take into consideration the timetable for the other and ensure all parties will have the ability to effectively participate in both proceedings.

If the Board determines that it is more efficient to proceed with a combined proceeding, my clients support the adjustments to the timelines contained in Procedural Order No. 1 as outlined below.

In particular, assuming Enbridge is able to file their evidence four weeks after the release of their 2007 rates decision (July 5), the July 9<sup>th</sup> deadline for filing evidence would be delayed to August 2<sup>nd</sup>. The attached proposed schedule below shows that the overall delay in the process could easily be limited to three weeks, rather than the full four weeks.

	<u><b>Current</b></u>	<u><b>Proposed</b></u>
Union and EGD file evidence	July 9	Aug 2
Issues Conference	July 17	Aug 8
Issues Day	July 19	Aug 10
P.O. - Issues List	July 23	Aug 14
Interrogatories to Companies and PEG	July 30	Aug 21
Interrogatory Responses	Aug 14	Sept 5
Intervenor Evidence	Aug 21	Sept 12
Tech. Conference on Intervenor Evidence Responses to Undertakings from Tech. Conference	Aug 28 - Aug 30	Sept 19 - Sept 21
Intervenor Conference	Sept 7	Sept 28
Settlement Conference	Sept 10	Oct 1
File Settlement Proposal	Sept 11 - Sept 24	Oct 2 - Oct 16
Settlement Proposal Hearing	Oct 1	Oct 23
Oral Hearing	Oct 4	Oct 26

With the proposed schedule, the hearing would be scheduled to end three weeks later than the current schedule (taking into account the Thanksgiving Day holiday). Even with this three week delay, the combined proceeding is still likely to be completed in the same timeframe as would the separate proceedings.

Yours truly

***Randy Aiken***

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