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November 18, 2008

Kirsten Walli Board Secretary Ontario Energy Board 27<sup>th</sup> floor - 2300 Yonge Street Toronto ON M4P 1E4 Borden Ladner Gervais LLP Lawyers • Patent & Trade-mark Agents World Exchange Plaza 100 Queen Street, Suite 1100 Ottawa ON K1P 1J9 tel.: (613) 237-5160 fax: (613) 230-8842 www.blgcanada.com

> VINCENT J. DEROSE direct tel.: (613) 787-3589 e-mail: vderose@blgcanada.com

Dear Ms Walli,

## Consultation on the Development of Demand Side Management Guidelines for Natural GasDistributors ("DSM Guidelines")Board File No.:EB-2008-0346Our File No.:339583-000030

We are writing this letter to seek participant status and cost award eligibility in this consultative on behalf of Canadian Manufacturers & Exporters ("CME").

## Request for Participant Status

The reasons why CME should be granted participant status in this proceeding include the following:

- (i) CME is Canada's leading business network. Its members represent 75% of manufactured output in the Province of Ontario, and 90% of all exports.
- (ii) Manufacturing is important to the Province of Ontario. It is the single largest sector of the economy (17.5% of Gross Domestic Product ("GDP") or \$300B) employing, directly, over 1M people in the Province.
- (iii) Natural gas is significant to manufacturing as one of the sources of energy for the manufacturing sector. As a result, the members of CME are vitally concerned with all matters pertaining to the supply and price of natural gas.
- (iv) Ontario-based CME members have an interest in conservation and DSM.
- (v) CME is heavily involved in the development of conservation in the manufacturing sector in Ontario. In this regard:
  - (a) CME has secured funding to study energy management at approximately 300 Ontario manufacturing facilities. The study will define the potential for energy savings within the province, and will establish a platform for policies and supporting programs directed towards manufacturing to help reduce operating costs and increase productivity; and
  - (b) CME has created the SMART Program to help small and medium-sized manufacturers in Ontario improve their productivity so they can compete more effectively in the global economy. Through funding by the Government of Ontario, CME will administer financial support for productivity improving projects with 50% funding up to \$50,000.
- (vi) CME is represented on Union's 2008-2009 DSM Evaluation and Audit Committee;

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(vii) CME wishes to actively participate in these proceedings and, if granted intervenor status, intends to address all potential elements of the anticipated DSM Guidelines.

## Request for Cost Award Eligibility

CME seeks a determination that it is eligible for a Cost Award on the following grounds:

- (i) CME is a not-for-profit organization funded by membership fees and revenues from the services it renders to Federal and Provincial Governments and Agencies to foster the development of national and international markets for its members and to break down trade barriers.
- (ii) About 85% of CME's 1,200 Ontario-based member companies are small to medium sized business enterprises with 500 employees or less. The views of these businesses should be considered in this proceeding.
- (iii) CME's ability to actively participate in this proceeding is dependent upon a determination that it is eligible for a Cost Award. In many prior proceedings, the Board has determined that CME is eligible for a Cost Award.

## CME Contacts

If the relief requested in this letter is granted, then CME requests that further communications with respect to this matter be sent to the following:

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Please contact the undersigned if the Board requires any further information in connection with these requests.

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Vincent J. DeRose

VJD c. Paul Clipsham (CME) OTT01\3594894\1