

November 17, 2008

Ontario Energy Board  
2300 Yonge Street  
Suite 2700  
Toronto, Ontario  
M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: EB-2008-0220**

Union Gas Limited (“Union”) filed an application with the Ontario Energy Board (“Board”) on September 26, 2008 seeking changes to its regulated gas distribution transmission and storage services.

The Board issued a Notice of Application (“Notice”) on October 27, 2008 inviting parties to request intervenor status.

Some intervenors have suggested the Board include a technical and/or settlement conference as part of the proceeding process.

The 2009 rates application was developed using the settlement agreement from Union’s Incentive Regulation (“IR”) proceeding which includes a formulaic calculation for the derivation of rates. In addition, Union has proposed two Z factors: the treatment of tax savings and conversion from Canadian Generally Accepted Accounting Principles to the International Financial Reporting Standards (“IFRS”). The treatment of tax will be resolved by the Board as part of EB-2008-0292. This leaves IFRS as the only Z factor request outstanding for 2009.

It is Union’s view that the cost consequences to Union of the IFRS Z factor issue can be dealt with adequately through written interrogatories and a written hearing. The remainder of Union’s application is formulaic and based on publicly available data. Accordingly, Union does not believe that either a technical conference or a settlement conference is necessary.

Union, therefore, requests that this hearing be done in writing and that the Board decline to include provision for a technical or settlement conference in the procedural order.

Yours truly,

[original signed by]

Chris Ripley  
Manager, Regulatory Applications

cc: EB-2007-0606 Intervenors  
M. Penny (Torys)