

December 8, 2008

Kirsten Walli, Board Secretary
ONTARIO ENERGY BOARD
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E5

Dear Ms. Walli:

Re: EB-2008-0371 - Union Gas Limited's (Union) January 1, 2009 QRAM Application.

We write as legal counsel to the Industrial Gas Users Association (IGUA).

IGUA's advisors have reviewed Union's Application for quarterly adjustment of rates (QRAM) to be effective January 1st, 2009. Based upon their advice, and conformance of Union's application with the Board approved QRAM process, IGUA does not oppose approval of the application as filed.

IGUA does note that it first received notice of the due date for these submissions by way of receipt of a copy of the Board's Notice of Written Hearing and Procedural Order No. 1 herein from Union earlier today. Accordingly, these submissions are filed past the due date stipulated in that Procedural Order.

Costs.

Pursuant to the Board's *Practice Direction on Cost Awards*, IGUA is eligible to apply for a cost award as a party primarily representing the direct interests of ratepayers in relation to regulated gas services. IGUA requests that the Board award it costs reasonably incurred in review of Union's QRAM.

IGUA reviews QRAM applications as a matter of course, in order to properly discharge its mandate and responsibility to protect its members' interests in respect of gas regulatory matters,

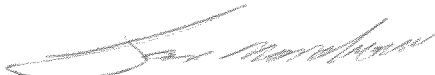
including appropriate application of the Board approved quarterly rate adjustment mechanism. Where warranted, IGUA has in the past offered comment on the form or substance of the gas distributors' QRAM applications. In this instance, IGUA has no further comment to offer.

IGUA has, in the past, been awarded modest costs for review of QRAM applications. In making such awards IGUA respectfully submits that the Board has recognized some value (commensurate with modest costs) in the independent and informed review of such applications that IGUA provides.

IGUA continues to be mindful of the need for efficiency in its regulatory interventions, in particular in respect of relatively non-contentious matters such as is normally the case with QRAM applications. For QRAM reviews, IGUA has retained Aegent Energy Advisors Inc., whose professionals are expert in Ontario gas commercial and regulatory matters, including rate matters in particular. Aegent conducts a cursory review of the QRAM application as filed, and provides a report to IGUA. Provided that Aegent's report does not indicate any concerns with either the application of the QRAM protocols or the rate outcome, IGUA is in a position to advise the Board that it has no cause for objection, as is the case in respect of the instant application.

IGUA submits that it has acted responsibly with a view to informing the Board's review and decision on this application, while maintaining due attention to cost efficiency. On this basis, IGUA is requesting recovery of its costs for participation in this process.

Sincerely,
MACLEOD DIXON LLP



Ian A. Mondrow

c. Murray Newton, IGUA
Michael Penny, TORYS
Chris Ripley, UNION GAS
Valerie Young, AEGENT ENERGY ADVISORS

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