

**BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
PROVINCE OF NEW BRUNSWICK**

IN THE MATTER OF sections 52 and 56 of the *Gas Distribution Act, 1999*, S.N.B. 1999, c. G-2.11, as amended;

AND IN THE MATTER OF an application by Enbridge Gas New Brunswick to change its Small General Service, General Service and Contract General Service Rates.

APPLICATION TO CHANGE RATES

1. Enbridge Gas New Brunswick Limited Partnership, as represented by its general partner, Enbridge Gas New Brunswick Inc. (“EGNB” or the “Applicant”) hereby applies to the Board of Commissioners of Public Utilities of the Province of New Brunswick (the “Board”), pursuant to sections 52 and 56 of the *Gas Distribution Act, 1999* (the “Act”), for an order or orders approving changes to its Small General Service, General Service and Contract General Service Rates.
2. EGNB is the general franchisee under a General Franchise Agreement dated August 31, 1999 (“GFA”) with the Province of New Brunswick as represented by the Minister of Natural Resources and Energy. The GFA (which was filed with the Board as part of EGNB’s 2000 Rate Application) authorizes EGNB to distribute natural gas and provide customer services in the Province of New Brunswick.
3. In its June 23, 2000 decision in the matter of an application by EGNB for approval of its rates and tariffs, the Board approved EGNB’s market-based approach for setting its distribution rates during the development period.
4. In a decision dated July 19, 2000, the Board approved EGNB’s current Small General Service, General Service and Contract General Service Rates.
5. EGNB now wishes to change its Small General Service, General Service and Contract General Service Rates effective April 1, 2004.

6. The objective of EGNB's market-based approach is to provide potential end-use customers with the economic incentive to convert to natural gas and to make use of the distribution system that EGNB has committed to build in New Brunswick.
7. EGNB will update the various items used in calculating its distribution rates and will file proposed distribution rates that are based on current information together with supporting information to show how the value for each item was established.
8. Information in support of EGNB's Application will be filed with the Board by February 27, 2004.
9. On the basis of the foregoing, EGNB applies for the following orders, decisions or directions of the Board:
 - (a) approval, under sections 52 and 56 of the Act, of the changes to its Small General Service, General Service and Contract General Service Rates proposed by EGNB, such changes to be effective April 1, 2004;
 - (b) an order under section 56 of the Act, to the extent necessary or appropriate, to ensure an expeditious determination of this Application;
 - (c) such interim order under section 77 of the Act, and such further directions in that regard, as may be necessary or appropriate;
 - (d) an order under subsection 96(3) of the Act exempting the Applicant, to the extent necessary or appropriate, from some or all of the provisions of any regulations made by the Board under subsection 96(1) of the Act; and
 - (e) such further or other order, decision or direction relating to the Applicant's Small General Service, General Service and Contract General Service Rates as the Applicant may request and the Board may deem necessary or appropriate.

10. The names, addresses, telephone numbers and other telecommunications numbers of the Applicant and the Applicant's authorized representative are as follows:

(a) The Applicant:

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(b) The Applicant's counsel:

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DATED at Fredericton, New Brunswick this 18th day of February, 2004.

**ENBRIDGE GAS NEW BRUNSWICK LIMITED
PARTNERSHIP**, as represented by its general
partner **ENBRIDGE GAS NEW BRUNSWICK
INC.**

by its counsel
McINNES COOPER

Len Hoyt