

November 23, 2017

BY RESS & COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli,

**Re: Union Gas Limited (“Union”)
Kimpe Storage Compensation
EB-2016-0030**

This letter provides Union’s submissions in response to Mr. Kimpe’s disbursement cost claim dated November 13, 2017.

In dismissing Mr. Kimpe’s application, the Board ordered Union to pay to Mr. Kimpe “an honorarium in the amount of \$1,000 and any approved disbursements.” If Mr. Kimpe claimed disbursements, he was required to “file his claim for disbursements in accordance with the OEB’s *Practice Direction on Costs Awards* with the OEB by November 16, 2017.”

Union has already paid to Mr. Kimpe the honorarium of \$1,000. However, Union objects to Mr. Kimpe’s claim for disbursements in the amount of \$1,000, in addition to the \$1,000 honorarium, “for [his] participation in EB-2016-0030 on all [his] time, running and [his] serious efforts (*sic*), conservative estimate \$1,000.”

This is not a proper claim for disbursements, and therefore should be rejected.

First, contrary to the Practice Direction, Mr. Kimpe has not provided any backup information in support of this claim. In accordance with section 7.03 of the Practice Direction:

7.03 Itemized receipts must be submitted with the cost claim (credit card slips or statements are not sufficient.) If an itemized receipt cannot be provided, a written explanation must be submitted to explain why the receipt is unavailable and a description itemizing and confirming the expenses must be provided.

Mr. Kimpe has failed to provide either itemized receipts to support his request for disbursements or an explanation as to why such receipts are unavailable.

Second, the round number of his claim suggests that it does not reflect actual expenses on disbursements he actually incurred (such as photocopying, which is a permitted claim under section 7.01). On the contrary, his description of the amount cites his “time”, “running” and “efforts”. The \$1,000 honorarium, which has already been paid, is intended to compensate Mr. Kimpe for his time. He is not entitled to any further amount to compensate him for time and effort spent on this proceeding.

Third, Union further questions what disbursements Mr. Kimpe could possibly have incurred in connection with this proceeding beyond postage and photocopying. His correspondence was faxed via his Member of Provincial Parliament’s office, and it is therefore unlikely that he had to pay for this service. There was no oral hearing, and therefore no transcript costs and no need to travel.

Union respectfully requests that Mr. Kimpe’s request for \$1,000 in disbursements be denied. Union is prepared to compensate Mr. Kimpe for reasonable disbursements (photocopying and postage costs) upon his providing proof that these costs were actually incurred.

Sincerely,

[original signed by]

W. T. (Bill) Wachsmuth, RPF
Senior Administrator, Regulatory Projects

cc: Nancy Marconi, OEB
Zora Crnojacki, OEB
Achiel Kimpe, Via Courier
Mr. Anthony Rizetto c/o MP Bob Bailey’s Office, bob.baileyco@pc.ola.