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April 18, 2013

BY EMAIL & COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge St, Suite 2701
Toronto ON M4P 1E4

Dear Ms. Walli:

**Board File No. EB-2012-0176
Westario Power Inc. – 2013 Cost of Service Application
Energy Probe – Costs Submission**

Pursuant to the Decision and Order, issued by the Board on April 11, 2013, attached please find the Costs Submission of Energy Probe Research Foundation (Energy Probe) in respect of Westario Power Inc. in the EB-2012-0176 proceeding for the consideration of the Board.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh
Case Manager

cc: Lisa Milne, Westario Power (By email)
Andrew Taylor, Energy Boutique (By email)
Randy Aiken, Consultant to Energy Probe (By email)

Energy Probe Research Foundation 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: EnergyProbe@nextcity.com Internet: www.EnergyProbe.org

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.

- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.

Rate: _____ Country: _____

- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each consultant or lawyer/articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.

- The cost claim must be supported by a completed Affidavit signed by a representative of the party.

- A CV for each consultant must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.

- Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- <u>2012-0176</u>	Process: <u>Westario Power Inc. 2013 COS Rates</u>
Party: <u>Energy Probe Research Foundation</u>	Affiant's Name: <u>Annetta Turner</u>
HST Number: <u>10730 5146 RT0001</u>	HST Rate Ontario: <u>6.50%</u>
Full Registrant <input type="checkbox"/>	Qualifying Non-Profit <input checked="" type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

Affidavit

I, Annetta Turner, of the City/Town of Toronto
in the Province/State of Ontario, Canada, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

Signature of Affiant

Sworn or affirmed before me at the City/Town of _____,
in the Province/State of _____, **on** _____

(date)

Commissioner for taking Affidavits

File # EB- 2012-0176

Process: Westario Power Inc. 2013 COS Rates App.

Party: Energy Probe Research Foundation

Summary of Fees and Disbursements Being Claimed	
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Legal/consultant fees	\$15,378.00
Disbursements	\$525.48
HST	\$1,034.16
Total Cost Claim	\$16,937.64

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2012-0176	Process: Westario Power Inc. 2013 COS Rates
Party: Energy Probe Research Foundation	Name: Randy Aiken
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	28+
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	26.60	\$330.00	\$8,778.00	\$570.57	\$9,348.57
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	8.50	\$330.00	\$2,805.00	\$182.33	\$2,987.33
Attendance - Oral Hearing		\$330.00	\$0.00	\$0.00	\$0.00
Argument		\$330.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES					
			\$11,583.00	\$752.90	\$12,335.90

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car	\$242.40	\$15.76	\$258.16
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking	\$36.00	included	\$36.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation	\$261.90	\$17.02	\$278.92
Meals	\$27.66	\$1.80	\$29.46
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:			
	\$567.96	\$34.58	\$602.54

AIKEN & ASSOCIATES

578 McNAUGHTON AVE. WEST
CHATHAM, ONTARIO, N7L 4J6
(519) 351-8624
randy.aiken@sympatico.ca

INVOICE NO.	008-2013
DATE	April 11, 2013
HST REGISTRATION NO.	130417983

TO Mr. David MacIntosh
Energy Probe Research Foundation
225 Brunswick Avenue
Toronto, Ontario, M5S 2M6

PROJECT
EB-2012-0176 - Westario Power - 2013 COS Rates Application
Page 1 of 2

[illegible]

Make all cheques payable to AIKEN & ASSOCIATES
Payment is due upon receipt of payment for the project

PROJECT				
EB-2012-0176 - Westario Power - 2013 COS Rates Application				
Page 2 of 2				

DATE	HOURS	DESCRIPTION	RATE	TOTAL
EXPENSES				
Travel - Car				
Feb. 20		Chatham to Toronto (303 kms @ \$0.40/km)	121.20	
Feb. 22		Toronto to Chatham (303 kms @ \$0.40/km)	121.20	
		Sub-Total - Travel - Car		242.40
Travel - Other				
Feb. 21		Parking at OEB	15.93	
Feb. 22		Parking at OEB	15.93	
		Sub-Total - Travel - Other		31.86
Accommodation				
Feb. 20		Hotel, including parking	140.95	
Feb. 21		Hotel, including parking	120.95	
		Sub-Total - Accommodation		261.90
Meals				
Feb. 21		Lunch	9.96	
Feb. 21		Dinner	17.70	
		Sub-Total - Meals		27.66
SUMMARY				
		TOTAL FEES AND EXPENSES		12,146.82
HST DETAIL				
		Consulting Fees (@ 13.0%)		1,505.79
		Travel - Car (@ 13.0%)		31.51
		Travel - Other (@ 13.0%)		4.14
		Accommodation (@ 13.0%)		34.05
		Meals (@ 13.0%)		3.60
		TOTAL HST		1,579.09
			SUBTOTAL	12,146.82
			H.S.T.	1,579.09
			TOTAL	\$13,725.91

Make all cheques payable to AIKEN & ASSOCIATES
Payment is due upon receipt of payment for the project



Mr Randall Aiken
578 Mcnaughton Ave West
Chatham ON N7L 4J6
Canada

A/R Number
Group Code
Invoice No.
Reference #

Room No. 304
Arrival 02-20-13
Departure 02-22-13

Page No. 1 of 1
Cashier No. 114
User ID CA

Date	Description	Charges	Credits
02-20-13	*Accommodation	129.00	
02-20-13	Room HST 13%	16.77	
02-20-13	Parking 4	11.95	
02-20-13	Other HST 13%	1.55	
02-21-13	In Room Dining-Food	35.40	
	Room# 304 : CHECK# 736860		
02-21-13	*Accommodation	109.00	
02-21-13	Room HST 13%	14.17	
02-21-13	Parking 4	11.95	
02-21-13	Other HST 13%	1.55	
02-22-13	Visa		331.34
Total		331.34	331.34
Balance		0.00	

					Room HST 13		Other HST 13		
0.00	0.00	0.00	0.00	0.00	30.94	0.00	3.10	0.00	0.00

Guest Signature: _____

I have received the goods and / or services in the amount shown heron. I agree that my liability for this bill is not waived and agree to be held personally liable in the event that the indicated person, company, or association fails to pay for any part or the full amount of these charges. If a credit card charge, I further agree to perform the obligations set forth in the cardholder's agreement with the issuer.

TORONTO DON VALLEY HOTEL & SUITES
175 Wynford Drive
Toronto, Ontario M3C 1J3
Telephone: (416) 449-4111 Fax: (416) 449-4946
HST#870011962 www.torontodonvalleyhotel.com

 RECEIPT

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 3
 PAID: 21/02/13 04:59P
 SHORT TERM 038769
 ENTRY: 21/02/13 07:07A
 EXIT: 21/02/13 05:02P
 PARKING DURATION: 000 09:52
 CHARGED DURATION: 000 02:20
 PAID: CAD18.00
 TAX FREE CAD15.93
 V.A.T. 13% : CAD2.07
 CASH PAYMENTS: CAD20.00
 GIVEN CAD2.00

P.B. Yonge/Eglinton
 2300 Yonge Street
 Toronto, Ontario
 Tel: (416) 485-1244
 Check #: 800403

Server: Keechann Date: 02/21/2013
 Table: 103 -2 Time: 13:47
 Client: 5

1 Jumbo ClubHse 11.99
 1 Pop 2.49

SUB-TOTAL: 14.48
 HST: 1.88

TOTAL: 16.36

TIP 3.64

PLEASE PAY YOUR SERVER 20.00

Pickle Barre: Yonge & Eglinton
 Offers DELIVERY
 Please call (416)485-1244

COME AND ENJOY OUR
 BREAKFAST SPECIAL FOR
 ONLY \$4.99 Mon-Fri (9-1030AM)
 \$5.99 Sat & Sun (9-1030AM)

HST #869149484

 RECEIPT
 (DUPLICATE)

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 3
 PAID: 22/02/13 12:20P
 SHORT TERM 039171
 ENTRY: 22/02/13 07:07A
 EXIT: 22/02/13 12:22P
 PARKING DURATION: 000 05:13
 CHARGED DURATION: 000 02:20
 PAID: CAD18.00
 TAX FREE CAD15.93
 V.A.T. 13% : CAD2.07
 CASH PAYMENTS: CAD20.00
 GIVEN CAD2.00

Rf

IN ROOM DINING
 1250 EGLINTON AVENUE EAST
 TORONTO, ONTARIO
 M3C 1J3

GST # R - 870011962

SRV 123 TABLE 1304/1 TIME 19
 ROOM SERVE

1 DV BURGER 16.0
 1 DELIVERY CHARGE 2.0
 1 ICE CREAM 5.0
 HST 3.0
 GRATUITY 15% 3.0

NET SALES 24.49 GRAND TOTAL 31.0

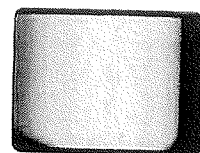
ROOM NO. 304 TIPS 4.00

TOTAL 35.40

PRINT NAME.....

SIGNATURES.....

*** GRATUITY INCLUDED IN BILL ***
 2/21/13 GUEST 1 NUMBER 736860 REPRINT



Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2012-0176	Process: Westario Power 2013 COS Rates
Party: Energy Probe Research Foundation	Name: David MacIntosh
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	13
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	6.75	\$290.00	\$1,957.50	\$127.24	\$2,084.74
Attendance - Technical Conference		\$290.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	5.75	\$290.00	\$1,667.50	\$108.39	\$1,775.89
Attendance - Oral Hearing		\$290.00	\$0.00	\$0.00	\$0.00
Argument		\$290.00	\$0.00	\$0.00	\$0.00
Case Management	1.00	\$170.00	\$170.00	\$11.05	\$181.05
TOTAL LEGAL/CONSULTANT FEES					
			\$3,795.00	\$246.68	\$4,041.68

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		included	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:			
	\$0.00	\$0.00	\$0.00

Time Sheet for D. MacIntosh**Board File: EB-2012-0176 Westario Power 2013 COS Rates****Summary: Hours**

Preparation	6.75
Attend. Tech.	0.00
Attend. ADR	5.75
Attend. Hearing	0.00
Argument Prep.	0.00
Case Mngt. (CM)	1.00

Total	13.50
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Date Hours Note

31-Oct-12	1.50	prep - Preliminary Review of Prefiled Evidence
31-Oct-12	0.50	prep - Draft Notice of Intervention
12-Dec-12	1.25	prep - Draft Interrogatories
31-Jan-13	1.00	prep - Draft Supplemental Interrogatories
20-Feb-13	1.25	prep - Review Evidence, IRs & Supplemental IRs Prior to ADR
22-Feb-13	0.25	prep - Consultant Communication re Settlement Conference
13-Mar-13	0.50	prep - Review Settlement Proposal & Emails
15-Mar-13	0.25	prep - Review Settlement Proposal & Emails
11-Apr-13	0.25	prep - Review Decision and Order

Total	6.75	Preparation
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Date Hours Note

21-Feb-13	5.75	Attend Settlement Conference, Day 1
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Total	5.75	Attendance - ADR
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Date Hours Note

31-Oct-12	0.50	CM - File Intervention ltr & Notice.
12-Dec-12	0.25	CM - Check & File Interrogatoriess
01-Feb-13	0.25	CM - Check & File Supplemental Interrogatories

Total	1.00	Case Management
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