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April 22, 2013

BY FAX & BY COURIER

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

Ms. Walli:

**Board File No. EB-2012-0002 --- Ontario Power Generation Inc.
Deferral and Variance Accounts and the Adoption of USGAAP
Energy Probe – Costs Submission**

Pursuant to direction provided by the Hearing Panel on March 25, 2013, please find attached the Costs Submission of Energy Probe Research Foundation (Energy Probe) in the EB-2012-0002 proceeding for consideration by the Board.

As directed by the Hearing Panel, the Costs for submissions to the Board in respect of the Niagara Tunnel Project Prudence Review are detailed in the time sheet and Cost Claim Form of David MacIntosh as Argument.

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

Yours truly,

David S. MacIntosh
Case Manager

cc. Colin Anderson, Ontario Power Generation Inc. (By email)
Charles Keizer, Torys LLP (By email)
Norm Rubin, Senior Consultant to Energy Probe (By email)
Lawrence Schwartz, Economic 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-	2012-0002	Process:	OPG Deferral and Variance Accounts Application
Party:	Energy Probe Research Foundation	Affiant's Name:	Annetta Turner
HST Number:	10730 5146 RT0001	HST Rate Ontario:	6.50%
	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- 2012-0002

Process: Ontario Power Generation Deferral & Variance

Party: Energy Probe Research Foundation

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	24,442.50
Disbursements	87.00
HST	1,588.77
Total Cost Claim	\$26,118.27

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0002</u>	Process: <u>OPG Deferral and Variance Accounts Application</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>Dr. Lawrence Schwartz</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	_____
	30+
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	22.50	\$330.00	\$7,425.00	\$482.63	\$7,907.63
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	10.25	\$330.00	\$3,382.50	\$219.86	\$3,602.36
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			\$10,807.50	\$702.49	\$11,509.99

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 L. Schwartz

Board File: EB-2012-0002 OPG Deferral & Variance Accounts

Summary: Hours

Preparation	22.50
Attend. Tech.	0.00
Attend. ADR	10.25
Attend. Hearing	0.00
Argument Prep.	0.00
Case Mngt. (CM)	0.00
Total	32.75

Date Hours Note

12-Nov-12	1.00	Review OPG application and Procedural Order #1
12-Nov-12	0.25	Review Draft Issues List, provide comments to case manager on submission
14-Nov-12	0.75	Review submissions of intervenors and OPG on Draft Issues List
14-Nov-12	0.25	Provide comments to case manager on reply submission
17-Nov-12	1.00	Review literature on role and use of variance accounts in US utility regulation
12-Dec-12	5.00	Review OPG Application and Application Overview
12-Dec-12	5.00	Review OPG Application
18-Dec-12	0.25	Review final Issues List
18-Dec-12	3.00	Revise Board staff interrogatories and OPG responses
19-Dec-12	2.00	Revise Board staff interrogatories and OPG responses
19-Dec-12	1.00	Drafting interrogatories
20-Dec-12	2.00	Drafting interrogatories
17-Jan-13	0.75	Review OPG responses to Energy Probe interrogatories
17-Jan-13	0.25	Identified missing responses & liased with OPG and case manager
Total	22.50	Preparation

Date Hours Note

11-Feb-13	7.00	Attend Settlement Conference
13-Feb-13	2.25	Attend Settlement Conference
19-Feb-13	1.00	Attend Settlement Conference
Total	10.25	Attendance - ADR

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0002</u>	Process: <u>Ontario Power Generation Deferral & Variance</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>Norman Rubin</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	30+
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	1.00	\$330.00	\$330.00	\$21.45	\$351.45
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference		\$330.00	\$0.00	\$0.00	\$0.00
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			\$330.00	\$21.45	\$351.45

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

Time Sheet for Norm Rubin

Board File: EB-2012-0002 OPG Deferral & Variance Accounts

Summary: Hours

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

Total 1.00

Date Hours Note

12-Nov-12	0.25	prep - Review Draft Issues List
14-Nov-12	0.50	prep - Review Issues List Comments, Discuss With Larry Schwartz
17-Jan-13	0.25	prep - Determine Issues for Technical Conference

Total 1.00 Preparation

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0002</u>	Process: <u>Ontario Power Generation Deferral & Variance</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>David MacIntosh</u>
	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	26.00	\$290.00	\$7,540.00	\$490.10	\$8,030.10
Attendance - Technical Conference	5.00	\$290.00	\$1,450.00	\$94.25	\$1,544.25
Attendance - Settlement Conference	10.25	\$290.00	\$2,972.50	\$193.21	\$3,165.71
Attendance - Oral Hearing	1.50	\$290.00	\$435.00	\$28.28	\$463.28
Argument	2.25	\$290.00	\$652.50	\$42.41	\$694.91
Case Management	1.50	\$170.00	\$255.00	\$16.58	\$271.58
TOTAL LEGAL/CONSULTANT FEES			\$13,305.00	\$864.83	\$14,169.83

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	\$87.00	included	\$87.00
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:	\$87.00	\$0.00	\$87.00

Time Sheet for D. MacIntosh

Board File: EB-2012-0002 OPG Deferral & Variance Accounts

Summary: Hours

Preparation	26.00
Attend. Tech.	5.00
Attend. ADR	10.25
Attend. Hearing	1.50
Argument Prep.	2.25
Case Mngt. (CM)	1.50

Total 46.50

Date Hours Note

02-Apr-12	0.75	Arg - Review Board Comment Request and Staff Comments
02-Apr-12	0.50	Arg - Consult With Consultants & Counsel re Consensus Position
02-Apr-12	0.25	Arg - Draft Energy Probe Comments
04-Apr-12	0.25	Arg - Review Comments of Others
14-Apr-12	0.50	Arg - Review OPG Reply & Board Position

Total 2.25 Argument - Niagara Tunnel Project Prudence Review

Date Hours Note

17-Oct-12	2.25	prep - First Review of OPG Evidence
17-Oct-12	0.50	prep - Draft Notice of Intervention
12-Nov-12	0.50	prep - Review Draft Issues List, Check With Consultants, Draft Ltr to Board
15-Nov-12	1.00	prep - Review Issues List Comments, Check With Consultants, Draft Ltr to Board
20-Dec-12	1.00	prep - Draft Interrogatories
17-Jan-13	1.25	prep - Review IR Responses of OPG
17-Jan-13	0.25	prep - Draft Letter to Board re Technical Conference
21-Jan-13	0.50	prep - Review Emails & Correspondence
22-Jan-13	0.25	prep - Prepare for Technical Conference
02-Feb-13	1.25	prep - Review Technical Conference Undertakings
09-Feb-13	1.50	prep - Review Evidence Update
10-Feb-13	2.50	prep - Prepare for Settlement Conference
12-Feb-13	1.25	prep - Prepare for Settlement Conference
15-Feb-13	0.75	prep - Review Email From Jay Shepherd on Positions
18-Feb-13	0.75	prep - Review Emails From Parties
19-Feb-13	1.00	prep - Prepare for Settlement Conference
20-Feb-13	1.00	prep - Prepare for Settlement Conference
22-Feb-13	0.50	prep - Review Emails From Parties
03-Mar-13	1.25	prep - Review Settlement Proposal
04-Mar-13	1.75	prep - Review March 4th Settlement Proposal
06-Mar-13	1.50	prep - Review Analysis & Emails From Parties
12-Mar-13	1.25	prep - Review Analysis & Emails From Parties, Staff

14-Mar-13	1.25	prep - Review Final Settlement Proposal Draft
20-Mar-13	0.50	prep - Review OPG Roadmap, Emails
08-Apr-13	0.50	prep - Review Comments on Draft Rate Order

Total 26.00 Preparation

Date Hours Note

23-Jan-13	5.00	Attend Technical Conference
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Total 5.00 Attendance - Technical Conference

Date Hours Note

11-Feb-13	3.75	Attend Settlement Conference
12-Feb-13	0.75	Attend Settlement Conference
13-Feb-13	1.50	Attend Settlement Conference
19-Feb-13	1.00	Attend Settlement Conference
20-Feb-13	2.25	Attend Settlement Conference
21-Feb-13	1.00	Attend Settlement Conference

Total 10.25 Attendance - Settlement Conference

Date Hours Note

25-Mar-13	1.50	Attend Oral Hearing
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Total 1.50 Attendance - Oral Hearing

Date Hours Note

17-Oct-12	0.50	CM - File Intervention Itr & Notice.
12-Nov-12	0.25	CM - File Submissions on Draft Issues List
15-Nov-12	0.25	CM - File Reply Submissions on Draft Issues List
21-Dec-12	0.25	CM - Check and File Interrogatories to Applicant
17-Jan-13	0.25	CM - File Letter to Board re Technical Conference

Total 1.50 Case Management

 RECEIPT

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 4
 PAID: 12/02/13 12:06P
 SHORT TERM 173664
 ENTRY: 12/02/13 10:23A
 EXIT: 12/02/13 12:23P
 PARKING DURATION: 000 01:42
 CHARGED DURATION: 000 02:00
 PAID: CAD16.50
 TAX FREE CAD14.60
 V.A.T. 13% : CAD1.90
 CASH PAYMENTS: CAD20.00
 GIVEN CAD3.50

 RECEIPT

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 5
 PAID: 11/02/13 03:49P
 SHORT TERM 173545
 ENTRY: 11/02/13 09:53A
 EXIT: 11/02/13 03:53P
 PARKING DURATION: 000 05:56
 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

 RECEIPT

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 4
 PAID: 23/01/13 03:59P
 SHORT TERM 171585
 ENTRY: 23/01/13 09:28A
 EXIT: 23/01/13 03:58P
 PARKING DURATION: 000 06:30
 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

838387

838387

 RECEIPT

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 4
 PAID: 20/02/13 07:26P
 SHORT TERM 174651
 ENTRY: 20/02/13 04:53P
 EXIT: 20/02/13 07:30P
 PARKING DURATION: 000 02:33
 CHARGED DURATION: 000 01:57
 PAID: CAD16.50
 TAX FREE CAD14.60
 V.A.T. 13% : CAD1.90
 CASH PAYMENTS: CAD20.00
 GIVEN CAD3.50

 RECEIPT

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 4
 PAID: 13/02/13 04:39P
 SHORT TERM 173831
 ENTRY: 13/02/13 02:30P
 EXIT: 13/02/13 04:50P
 PARKING DURATION: 000 02:09
 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
