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May 8, 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-2011-0099
E.L.K. Energy Inc. – 2012 Cost of Service Application
Energy Probe – Costs Submission

Pursuant to the Decision and Rate Order, issued by the Board on May 2, 2013, attached please find the Costs Submission of Energy Probe Research Foundation (Energy Probe) in the EB-2011-0099 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: Mark Danelon, E.L.K. Energy (By email)
James Sidlofsky, Borden Ladner Gervais LLP (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>2011-0099</u>	Process: <u>E.L.K. Energy 2012 COS Rates Application</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- 2011-0099

Process: E.L.K. Energy 2012 COS Rates Application

Party: Energy Probe Research Foundation

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$12,439.00
Disbursements	\$812.27
HST	\$859.70
Total Cost Claim	\$14,110.97

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2011-0099</u>	Process: <u>E.L.K. Energy 2012 COS Rates Application</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>Randy Aiken</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	<u>28+</u>
Consultant: <input checked="" type="checkbox"/>	
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	21.50	\$330.00	\$7,095.00	\$461.18	\$7,556.18
Attendance - Technical Conference	1.80	\$330.00	\$594.00	\$38.61	\$632.61
Attendance - Settlement Conference	6.50	\$330.00	\$2,145.00	\$139.43	\$2,284.43
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					
			\$9,834.00	\$639.21	\$10,473.21

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	\$484.80	\$31.51	\$516.31
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	\$281.90	\$18.32	\$300.22
Meals	\$9.57	\$0.62	\$10.19
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:			
	\$812.27	\$50.46	\$862.73

AIKEN & ASSOCIATES

INVOICE NO. 012-2013
DATE May 2, 2013
HST REGISTRATION NO. 130417983

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

PROJECT
EB-2011-0099 - E.L.K. Energy Inc. - 2012 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-2011-0099 - E.L.K. Energy Inc. - 2012 COS Rates Application				
Page 2 of 2				

DATE	HOURS	DESCRIPTION	RATE	TOTAL
EXPENSES				
Travel - Car				
Feb. 12		Chatham to Toronto (303 kms @ \$0.40/km)	121.20	
Feb. 13		Toronto to Chatham (303 kms @ \$0.40/km)	121.20	
Feb. 27		Chatham to Toronto (303 kms @ \$0.40/km)	121.20	
Feb. 28		Toronto to Chatham (303 kms @ \$0.40/km)	121.20	
		Sub-Total - Travel - Car		484.80
Travel - Other				
Feb. 13		Parking at OEB	15.93	
Feb. 28		Parking at OEB	15.93	
		Sub-Total - Travel - Other		31.86
Accommodation				
Feb. 12		Hotel, including parking	140.95	
Feb. 27		Hotel, including parking	140.95	
		Sub-Total - Accommodation		281.90
Meals				
Feb. 13		Lunch	4.30	
Feb. 28		Lunch	5.27	
		Sub-Total - Meals		9.57
SUMMARY				
		TOTAL FEES AND EXPENSES		10,642.13
HST DETAIL				
		Consulting Fees (@ 13.0%)		1,278.42
		Travel - Car (@ 13.0%)		63.02
		Travel - Other (@ 13.0%)		4.14
		Accommodation (@ 13.0%)		36.65
		Meals (@ 13.0%)		1.24
		TOTAL HST		1,383.47
			SUBTOTAL	10,642.13
			H.S.T.	1,383.47
			TOTAL	\$12,025.60

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



TORONTO DON VALLEY HOTEL & SUITES
ON A FINE PLACE

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

A/R Number
Group Code
Invoice No.
Reference #

Room No. 225 Page No. 1 of 1
Arrival 02-12-13 Cashier No. 121
Departure 02-13-13 User ID ARU

Date	Description	Charges	Credits
02-12-13	*Accommodation	129.00	
02-12-13	Room HST 13%	16.77	
02-12-13	Parking 4	11.95	
02-12-13	Other HST 13%	1.55	
02-13-13	Visa		159.27
Total		159.27	159.27
Balance		0.00	

					Room HST 13		Other HST 13		
0.00	0.00	0.00	0.00	0.00	16.77	0.00	1.55	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



TORONTO DON VALLEY HOTEL & SUITES
AN VEEVA PROPERTY

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

A/R Number
Group Code
Invoice No.
Reference #

Room No. 205
Arrival 02-27-13
Departure 02-28-13

Page No. 1 of 1
Cashier No. 121
User ID ARU

Date	Description	Charges	Credits
02-27-13	*Accommodation	129.00	
02-27-13	Room HST 13%	16.77	
02-27-13	Parking 4	11.95	
02-27-13	Other HST 13%	1.55	
Total		159.27	0.00
Balance		159.27	

					Room HST 13		Other HST 13		
0.00	0.00	0.00	0.00	0.00	16.77	0.00	1.55	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.

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

metro

** STORE #752 (416) 483-7340 **
** E&OE ** ** HST # R105216170 **

2/13/13 11:41 AM 0752 53 0031 308

RECEIPT

CAR PARK: Yonge & Eglinton Ctr
DEVICE: Paystation 3
PAID: 13/02/13 11:43A
SHORT TERM 035556
ENTRY: 13/02/13 07:06A
EXIT: 13/02/13 11:46A
PARKING DURATION: 000 04:37
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

F2 TURKEY KAISER 4.29 RF
R-HST 5% .21
F-PREP FOOD TX 8% .34
TAX .55 BAL 4.84
ROUNDING 0.01
ROUNDED TOTAL 4.85
Cash 5.00
CHANGE .15

TOTAL NUMBER OF ITEMS SOLD = 1

WIN \$1,000 IN GROCERY GIFT CARDS
Visit: metrosurvey.ca

RETAIN RECEIPT FOR PRODUCT RETURN
WITHIN 14 DAYS. SEE STORE FOR DETAILS.

*CUSTOMER CARE NUMBER 1-877-763-7374 *
*** metro.ca ***
2/13/13 11:41 0752 53 0031 308

metro

** STORE #752 (416) 483-7340 **
** E&OE ** ** HST # R105216170 **

2/28/13 1:22 PM 0752 33 0052 308

RECEIPT

CAR PARK: Yonge & Eglinton Ctr
DEVICE: Paystation 3
PAID: 28/02/13 04:47P
SHORT TERM 041372
ENTRY: 28/02/13 07:08A
EXIT: 28/02/13 04:48P
PARKING DURATION: 000 09:38
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

F2 HAN KAISER 4.29 RF
F26 BEVERAGE 1.00 RF
R-HST 5% .26
F-PREP FOOD TX 8% .42
TAX .68 BAL 5.97
ROUNDING 0.02-
ROUNDED TOTAL 5.95
Cash 10.00
CHANGE 4.05

TOTAL NUMBER OF ITEMS SOLD = 2

WIN \$1,000 IN GROCERY GIFT CARDS
Visit: metrosurvey.ca

RETAIN RECEIPT FOR PRODUCT RETURN
WITHIN 14 DAYS. SEE STORE FOR DETAILS.

*CUSTOMER CARE NUMBER 1-877-763-7374 *
*** metro.ca ***
2/28/13 13:22 0752 33 0052 308

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2011-0099</u>	Process: <u>E.L.K. Energy 2012 COS Rates Application</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	8.25	\$290.00	\$2,392.50	\$155.51	\$2,548.01
Attendance - Technical Conference		\$290.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference		\$290.00	\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing		\$290.00	\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management	1.25	\$170.00	\$212.50	\$13.81	\$226.31
TOTAL LEGAL/CONSULTANT FEES					
			\$2,605.00	\$169.33	\$2,774.33

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-2011-0099 E.L.K. 2012 COS Rates****Summary: Hours**

Preparation	8.25
Attend. Tech.	0.00
Attend. ADR	0.00
Attend. Hearing	0.00
Argument Prep.	0.00
Case Mngt. (CM)	1.25

Total	9.50
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Date Hours Note

15-Nov-12	2.25	prep - Preliminary Review of Prefiled Evidence
15-Nov-12	0.50	prep - Draft Notice of Intervention
06-Jan-13	1.50	prep - Draft Interrogatories
08-Feb-13	0.75	prep - Draft Technical Conference Questions
25-Feb-13	0.75	prep - Review Evidence, IRs & Supplemental IRs Prior to ADR
25-Feb-13	0.50	prep - Draft Submission to Board re Mearie Survey
28-Feb-13	0.25	prep - Consultant Communication re Settlement Conference
26-Mar-13	0.75	prep - Review Settlement Proposal & Emails
16-Apr-13	0.50	prep - Review Submissions of Applicant re Board Staff Comments
03-May-13	0.50	prep - Review Decision and Order

Total	8.25	Preparation
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Date Hours Note

15-Nov-12	0.50	CM - File Intervention ltr & Notice.
07-Jan-13	0.25	CM - Check & File Interrogatoriess
08-Feb-13	0.25	CM - Check & File Technical Conference Questions
25-Feb-13	0.25	CM - File Submission on Mearie Survey

Total	1.25	Case Management
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