

**PUBLIC INTEREST ADVOCACY CENTRE**  
**LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC**

ONE Nicholas Street  
Tel: (613) 562-4002

Suite 1204  
Fax: (613) 562-0007

Ottawa, ON Canada  
e-mail: [piac@piac.ca](mailto:piac@piac.ca)

K1N 7B7  
[www.piac.ca](http://www.piac.ca)

Harry Gow, Chair  
*Chelsea*

Barbara Cram  
*Saskatchewan*

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*Montreal*

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*St. John's*

Rob Rainer  
*Ottawa*

Armine Yalnizyan  
*Toronto*

**Ottawa Office**

Michael Janigan  
Executive Director  
General Counsel  
Ext. 26

Donna Brady  
Office Administrator  
Ext. 21

John Lawford  
Counsel, Ext. 25

Janet Lo  
Counsel, Ext. 24

**Toronto Office**  
**1102-34 King St. E.**  
**Toronto, ON**  
**M5C 2X8**

Michael Buonaguro  
Counsel  
(416) 767-1666

**Honorary Directors**  
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May 9, 2013

PIAC FILE # 6302

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
Suite 2700  
2300 Yonge Street  
27<sup>th</sup> floor  
Toronto, ON  
M4P 1E4

VIA Email  
12 pages

Dear Ms. Walli:

**Re: Board File No. EB-2011-0099**  
**E.L.K. Energy Inc.**  
**Cost Claim of Vulnerable Energy Consumers Coalition (VECC)**

Please find enclosed the Cost Claim of the Vulnerable Energy Consumers Coalition (VECC) in the above-noted matter. We have also directed a copy of VECC cost claim to the applicant via email as well as their counsel.

When paying the cost claim please make cheque payable to

Public Interest Advocacy Centre  
1204-ONE Nicholas Street  
Ottawa, ON  
K1N 7B7

Thank you.

Yours truly,

Michael Janigan  
Counsel for VECC

Cc: E.L.K. Energy Inc. - Mark Danelon - [mdanelon@elkenenergy.com](mailto:mdanelon@elkenenergy.com)  
Counsel - James Sidlofsky - [jsidlofsky@blg.com](mailto:jsidlofsky@blg.com)

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- 2011-0099 Process: ELK

Party: VECC Affiant's Name: Donna Brady

HST Number: 13059 2405 RT 0001 HST Rate Ontario: \_\_\_\_\_

Full Registrant  Qualifying Non-Profit

Unregistered  Tax Exempt

Other

Affidavit

I, Donna Brady, of the City/Town of Ottawa  
in the Province/State of Ontario, 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]  
Signature of Affiant

Sworn or affirmed before me at the City/Town of Ottawa  
in the Province/State of Ontario, on MAY 10-2017  
(date)

[Signature]  
Commissioner for taking Affidavits

Ontario Energy Board  
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2011-0099 Process: ELK

Party: VECC

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	16,267.50
Disbursements	396.34
HST	655.56
<b>Total Cost Claim</b>	<b>17,319.40</b>

Michael Janigan  
Janigan Professional Corporation  
c/o Public Interest Advocacy Centre  
1204-ONE Nicholas Street  
Ottawa, ON  
KIN 7B7

**STATEMENT OF ACCOUNT**

May 9, 2013

**TO: VULNERABLE ENERGY CONSUMERS COALITION**  
c/o Public Interest Advocacy Centre  
Suite 1204  
ONE Nicholas Street  
Ottawa, ON  
KIN 7B7

**Re: EB – EB-2011-0099**  
**E.L.K. Energy Inc.**  
**Vulnerable Energy Consumers Coalition (VECC)**  
**Cost Claim**

For Services Rendered as Counsel in the above-noted matter.      RATE: \$330.00 per hour

February to April 2013

TO:      17.0 Hours      **5,610.00**

HST @ 13%      729.30

**TOTAL AMOUNT DUE AND OWING:      \$ 6,339.30**

Michael Janigan  
Janigan Professional Corporation  
831059738

## TraxTime report for PIAC Lawyer009

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### **Tuesday, February 26, 2013 - Total 0.9**

in: 6:23p out: 7:15p 0.9 6302 OEB 2011-0099 E.L.K.  
to review of Web drawer and organization of file

### **Wednesday, February 27, 2013 - Total 2.2**

in: 7:30p out: 9:40p 2.2 6302 OEB 2011-0099 E.L.K.  
review consultant notes and file

### **Thursday, February 28, 2013 - Total 9**

in: 6:30a out: 8:00a 1.5 6302 OEB 2011-0099 E.L.K.  
review file and notes

in: 9:30a out: 5:00p 7.5 6302 OEB 2011-0099 E.L.K.  
to attendance at ADR and settlement of all issues

### **Friday, March 01, 2013 - Total 0.4**

in: 7:35p out: 7:55p 0.4 6302 OEB 2011-0099 E.L.K.  
review confidentiality decision

### **Tuesday, March 12, 2013 - Total 0.5**

in: 2:30p out: 3:00p 0.5 6302 OEB 2011-0099 E.L.K.  
briefing re difficulties in settlement agreement

### **Monday, March 18, 2013 - Total 0.3**

in: 5:15p out: 5:30p 0.3 6302 OEB 2011-0099 E.L.K.  
receipt of agreement and letter of extension

### **Tuesday, March 19, 2013 - Total 0.3**

in: 4:04p out: 4:19p 0.3 6302 OEB 2011-0099 E.L.K.  
receipt and review of confidentiality decision

### **Thursday, March 21, 2013 - Total 1.5**

in: 4:30a out: 5:36a 1.1 6302 OEB 2011-0099 E.L.K.  
review and edit agreement

in: 8:30a out: 8:52a 0.4 6302 OEB 2011-0099 E.L.K.  
emails re Harper's points on agreement

### **Wednesday, March 27, 2013 - Total 0.9**

in: 11:21a out: 11:40a 0.4 6302 OEB 2011-0099 E.L.K.  
re email re gross vs, net

in: 2:05p out: 2:17p 0.2 6302 OEB 2011-0099 E.L.K.  
review of emails re gross vs. net CDM adjustment

in: 5:15p out: 5:30p 0.3 6302 OEB 2011-0099 E.L.K.  
review of emails and agreement notes re gross vs. net

### **Thursday, March 28, 2013 - Total 0.4**

in: 11:04a out: 11:23a 0.4 6302 OEB 2011-0099 E.L.K.

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**Tuesday, April 09, 2013 - Total 0.3**

in: 12:10p      out: 12:23p      0.3      6302 OEB 2011-0099 E.L.K.  
receipt and review of Bd, Staffcomments

**Monday, April 15, 2013 - Total 0.3**

in: 4:52p      out: 5:07p      0.3      6302 OEB 2011-0099 E.L.K.  
review ELK submissions

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**Totals From Tuesday, January 01, 2013 To Wednesday, May 08, 2013**

17      6302 OEB 2011-0099 E.L.K.

17      **Total:**

**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</u>
Party: <u>VECC</u>	Name: <u>Michael Janigan</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	<u>31</u>
Consultant: <input 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	9.50	\$330.00	\$3,135.00	\$123.52	\$3,258.52
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	7.50	\$330.00	\$2,475.00	\$97.52	\$2,572.52
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
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$5,610.00	\$221.03	\$5,831.03

**Statement of Disbursements Being Claimed**

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing	\$5.64	\$0.22	\$5.86
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	\$309.12	\$12.18	\$321.30
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking	\$25.33	included	\$25.33
Taxi or Airport Limo	\$46.02	\$1.81	\$47.83
Accommodation		\$0.00	\$0.00
Meals	\$10.23	\$0.40	\$10.63
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>	\$396.34	\$14.62	\$410.96

6302

\*\*\* DUPLICATE \*\*\*

Freshii

2300 Yonge Street (Kiosk)  
Toronto, ON  
M4P 1E4  
P 416-486-2301  
F 416-486-2309  
GST #857836670 RT0001

Order Time: Feb 28/13 1:22p  
Printed At: Feb 28/13 1:22p

Server: Day Cash 1  
Bill: 015899 Type: Carry Out  
Tbl: Guests: 1

Tex Mex Burrito 7.99  
Grilled Chicken 0.99  
Dressing as Suggested 0.00  
Coke Zero 1.25

Subtotal: \$10.23  
HST8 [8.0%]: 0.82  
HST5 [5.0%]: 0.51

Total: \$11.56  
Cash 15.00  
Change Due: (\$3.44)

Thanks for visiting.  
If your order was less than perfect,  
let us know and we'll make it right!  
contact us at freshii.com  
find us twitter and facebook

17.93

PP # 3830

Aéroport d'Ottawa Airport

Exit 4 01/03/13 15:08  
Receipt 074493

Ticket/Billet  
P1 - No. 045661  
26/02/13 07:18 -  
01/03/13 15:08 -  
Period 3d7h51'  
(CAN) \$76.00

Total \$76.00

Payment Received  
AMEX \$76.00  
XXXXXXXXXXXX4003 09/14  
Merch:9306913105  
Auth:513107  
Type: Swiped

Sub Total \$67.26  
HST 13% 8.74

HST#TVH 898569942RT.CAD

PAID AMEX

25.33 1/3 TICO  
23.33 1/2 BLK  
25.33 1/3 THE SL ✓

PRINT THREE --  
2300 YONGE ST  
416 481 5159  
CALL AGAIN

PRINT THREE  
2300 YONGE ST  
416 481 5159  
CALL AGAIN

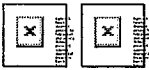
REG 02-28-2013 09:25 0009

DEPT03	T1	\$2.40
TAX-AMT 1		\$2.40
TAX 1		\$0.31
CASH		\$2.71

REG 02-28-2013 09:25 0008

DEPT03	T1	\$3.24
TAX-AMT 1		\$3.24
TAX 1		\$0.42
CASH		\$3.66








UNIGLOBE Premiere Travel Planners Inc.  
100-24 Selkirk St.  
Ottawa, ON K1L 0A4  
Phone: (613) 230-7411

**\*\*Please take a moment to verify that the information below is correct. Make certain that the traveller name shown is identical to the name on the photo identification that will be used for this trip. If we misunderstood your requirements, or if you determined that you need to make a change, we may be able to accommodate your request if we are advised before the end of business day of the ticket issue date. Reservations made through airline websites may not be changed. Thank you. \*\***

GST NBR R105446132 TICO NBR 2192571

[marybeth@premieregrou.com](mailto:marybeth@premieregrou.com)  
Direct Line: 613-231-1049

**Passenger(s):** Janigan/Michael G Mr      **Agent:** Mary Beth Wood  
**File No.:** 2W2UQG      **Date:** Friday, March 1, 2013  
**Customer:** 00PIAC  
**Billing:** PUBLIC INTEREST ADVOCACY CNTR  
1 NICHOLAS ST STE 1204  
OTTAWA ON K1N 7B7  
ATTN-MICHAEL JANIGAN

- If you would like to view your reservation online: [Click Here](#)
- To forward itinerary to Triplt, Worldmate, Tripcase or Blackberry Travel: [Click Here](#)
-  Add your itinerary to your calendar (ICS): [Click Here](#) (for use with PC and MAC and accessible via website and mobile device)
-  Add your itinerary to your calendar (with Infuzer): [Click Here](#)
-  Use Mileblaster to consolidate all your frequent flyer and loyalty programs: [Click Here](#)

**FLIGHT - Friday, 1 March 2013**

**WestJet Flight WS146 Economy Class** **Check In Confirmation:**  
**MWFEFN! (\*24 Hours Prior)**

<b>Depart:</b>	14:00, Friday, March 1 Pearson Intl. Airport-Terminal 3 Toronto, Ontario, Canada	<b>Arrive:</b>	14:58, Friday, March 1 Ottawa Intl. Airport Ottawa, Ontario, Canada
<b>Status:</b>	Confirmed	<b>Booking Code:</b>	Q
<b>Equipment:</b>	Boeing 737-600	<b>Stops:</b>	Non-stop
<b>Duration:</b>	0 hours 58 minutes	<b>Seat:</b>	Assigned At Check In
<b>Phone:</b>	1-800-538-5696	<b>FF Number:</b>	WS119724614
<b>Meal:</b>	None	<b>ETicket No.:</b>	8383235847468

[Weather](#)   [Flight Status \(\\*up to 3 days prior\)](#)   [Dining Reservations](#)

**Invoice Details**

Transaction / Document	Base	Tax	HST	Total
WestJet / 838 3235847468	220.00	44.12	34.34	298.46

Fee For Services Rendered CAD	Form of Payment: AX XXXXXXXXXXXXXXX4003 45.00	5.85	50.85
<b>Totals:</b>	Form of Payment: AXXXXXXXXXXXXXXXXX4003	40.19	ⓈCAD 349.31

**Total Charged to Credit Card:** CAD 349.31  
**Balance Due:** CAD 0.00

**Fare Rules**

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- <u>2011-0099</u>	Process: <u>ELK 2012 Rates</u>
Party: <u>VECC</u>	Name: <u>Bill Harper</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	<u>33</u>
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

**Statement of Fees Being Claimed**

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	7.00	\$330.00	\$2,310.00	\$91.01	\$2,401.01
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
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$2,310.00	\$91.01	\$2,401.01

**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
<b>TOTAL DISBURSEMENTS:</b>		\$0.00	\$0.00

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- <u>2011-0099</u>	Process: <u>ELK 2012 Rates</u>
Party: <u>VECC</u>	Name: <u>Mark Garner</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	_____ <u>23</u> _____
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>

**Statement of Fees Being Claimed**

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	19.50	\$315.00	\$6,142.50	\$242.01	\$6,384.51
Attendance - Technical Conference	1.50	\$315.00	\$472.50	\$18.62	\$491.12
Attendance - Settlement Conference	5.50	\$315.00	\$1,732.50	\$68.26	\$1,800.76
Attendance - Oral Hearing		\$315.00	\$0.00	\$0.00	\$0.00
Argument		\$315.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$8,347.50	\$328.89	\$8,676.39

**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
<b>TOTAL DISBURSEMENTS:</b>		\$0.00	\$0.00

Econalysis Consulting Services

34 King St East  
Suite 1102  
Toronto, Ontario  
M5C 2X8

# Statement of Costs

Date	File #
06/05/2013	2013051

Bill To
Public Interest Advocacy Centre Suite 1204 1 Nicholas Street Ottawa, ON K1N 7B7

Terms	Docket No.
Net 30	EB-2011-0099

Project					
ELK 2012 Rates					
Serviced	Item	Description	Hours	Rate	Amount
16/11/2012	Preparation	Prepare intervention/review past decisions/read summary/draft intervention	1	315.00	315.00
03/01/2013	Draft IRs		1.75	330.00	577.50
08/01/2013	Draft IRs	Review evidence/draft interrogatories	2	315.00	630.00
09/01/2013	Draft IRs	Review evidence/draft interrogatories	8	315.00	2,520.00
10/01/2013	Draft IRs	TCQs	1.5	330.00	495.00
10/02/2013	Draft IRs				
11/02/2013	Preparation	Review interrogatory responses/draft technical conference letter/prepare for conference.	2	315.00	630.00
13/02/2013	Attendance	Attend technical conference	1.5	315.00	472.50
26/02/2013	Preparation	ADR Notes	3.25	330.00	1,072.50
26/02/2013	Preparation	Review evidence develop settlement notes	1.5	315.00	472.50
27/02/2013	Preparation	Review evidence/develop settlement notes	5	315.00	1,575.00
28/02/2013	Attendance	Attend settlement conference	5.5	315.00	1,732.50
21/03/2013	Preparation	Review ADR Agreement	0.5	330.00	165.00
		Subtotal			10,657.50
		HST on Sales		13.00%	1,385.48
<b>HST #10160 6028</b>					\$1,385.48
<b>Total</b>					\$12,042.98