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Columnist, The Globe and Mail

April 18, 2013

BY EMAIL AND 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-2012-0146  
London Hydro Inc. – 2013 Cost of Service Application  
Energy Probe – Costs Submission**

Pursuant to the Decision and Order, issued on April 11, 2013, please find attached the Costs Submission of Energy Probe Research Foundation (Energy Probe) in respect of London Hydro Inc. in the EB-2012-0146 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: Mike Chase, London Hydro (By email)  
James Sidlofsky, Borden Ladner Gervais LLP (By email)  
Roger Higgin, Consultant to Energy Probe (By email)  
Peter Faye, Counsel 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](mailto:EnergyProbe@nextcity.com) Internet: [www.EnergyProbe.org](http://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-	2012-0146/2012-0380	Process:	London Hydro Inc. 2013 COS Rates
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- 2012-0146/0380

Process: London Hydro Inc. 2013 COS Rates

Party: Energy Probe Research Foundation

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$20,427.50
Disbursements	\$18.00
HST	\$1,327.79
<b>Total Cost Claim</b>	<b>\$21,773.29</b>

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- <u>2012-0146/2012-0380</u>	Process: <u>London Hydro Inc. 2013 COS Rates</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>Peter Faye</u>
	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	11.00	\$330.00	\$3,630.00	\$235.95	\$3,865.95
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>			\$3,630.00	\$235.95	\$3,865.95

**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

**Peter T. Faye, P.Eng, MBA**

# INVOICE

42 Eastwood Cres  
Markham, Ontario, L3P 5Z7  
Phone 905-294-2013

**DATE: April 11, 2013**

**Bill To:**  
Energy Probe Research Foundation  
225 Brunswick Ave.  
Toronto ON M5S 2M6  
Attn: David MacIntosh - Case Manager

**For:**  
Consultant to Energy Probe Research Foundation  
RE: OEB Proceeding EB-2012-0146  
London Hydro Distribution Rates

DESCRIPTION	HOURS	RATE	AMOUNT
Dec 12 Download application	0.5		
Dec 13 Read evidence	3.0		
Dec 16 Read evidence	1.0		
Jan 17 Prepare IRs	6.0		
Feb 14 Review IRRs	0.5		
Total Hours Billed	11.0	\$330.00	\$3630.00
GST (registration # 826908766RT0001)		13%	471.90
<b>TOTAL</b>			<b>\$4101.90</b>

Please make cheque to **Peter T. Faye**

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

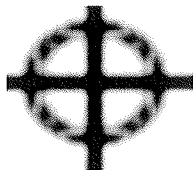
File # EB- <u>2012-0146/2012-0380</u>	Process: <u>London Hydro Inc. 2013 COS Rates</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>Dr. Roger Higgin</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <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	25.00	\$330.00	\$8,250.00	\$536.25	\$8,786.25
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	12.00	\$330.00	\$3,960.00	\$257.40	\$4,217.40
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>			\$12,210.00	\$793.65	\$13,003.65

**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



# SPA Inc

15 Malabar Place  
Don Mills, Toronto, Ontario M3B 1A4  
(416) 391-0738 fax (416) 391-0738

Invoice No. 2013-EP5

## INVOICE

### Customer

Name Energy Probe Research Foundation  
Address 225 Brunswick Avenue  
City Toronto Province Ont P.C. M5S 2M6  
Attn. Mr. David MacIntosh

Date 12/04/2013  
Project No EB-2011-0146  
Title London Hydro  
2013 Rates

Hours	Date	Description Of Services	Unit Price	TOTAL
4	Jan 5,2013	Review Evidence Identify Redactions	\$330.00	\$1,320.00
1	Jan 7,2013	Prepare, File Und & Decln re Confidentiality	\$330.00	\$330.00
4	Jan 7,2013	Prepare Draft Submissions on Confidentiality	\$330.00	\$1,320.00
6	Jan 17,2013	Review Board Staff IRRs, Draft IRs	\$330.00	\$1,980.00
2	Jan 18,2013	Review Confidential Evidence and Draft IRs	\$330.00	\$660.00
2	Feb 12,2013	Review IRRs - make notes File 2nd rnd IRRs	\$330.00	\$660.00
2	Feb 20,2013	Review Confidential IRRs File 2nd round IRs	\$330.00	\$660.00
2	Mar 10,2012	Review IRRs and make Notes for ADR	\$330.00	\$660.00
7	Mar 11,2012	Attend at ADR	\$330.00	\$2,310.00
5	Mar 12,2012	Attend at ADR	\$330.00	\$1,650.00
1	Mar 22,2012	Review Draft of ADR Agreement	\$330.00	\$330.00
1	Mar 25,2012	Review Final Agreement -advise Client sign off	\$330.00	\$330.00
37				
			SubTotal	\$12,210.00
				\$0.00
			Taxes HST	\$1,587.30
			PST	
			<b>TOTAL</b>	<b>\$13,797.30</b>

### Payment

- Cash
- Cheque
- Other

Name \_\_\_\_\_  
Date \_\_\_\_\_

Taxes

Roger M.R. Higgin Principal SPA

HST NUMBER 88413 6714 RT0001

*Thank you for your Business*

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- <u>2012-0146/0380</u>	Process: <u>London Hydro Inc. 2013 COS Rates</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	7.50	\$290.00	\$2,175.00	\$141.38	\$2,316.38
Attendance - Technical Conference		\$290.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	7.00	\$290.00	\$2,030.00	\$131.95	\$2,161.95
Attendance - Oral Hearing		\$290.00	\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management	2.25	\$170.00	\$382.50	\$24.86	\$407.36
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$4,587.50	\$298.19	\$4,885.69

**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	\$18.00	included	\$18.00
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>	\$18.00	\$0.00	\$18.00



**Time Sheet for D. MacIntosh**  
**Board File: EB-2012-0146/0380 London Hydro 2013 Rates**

**Summary: Hours**

Preparation	7.50
Attend. Tech.	0.00
Attend. ADR	7.00
Attend. Hearing	0.00
Argument Prep.	0.00
Case Mngt. (CM)	1.75
<b>Total</b>	<b>16.25</b>

**Date Hours Note**

14-Nov-12	1.25	prep - Preliminary Review of Prefiled Evidence
14-Nov-12	0.50	prep - Draft Notice of Intervention
07-Jan-13	0.50	prep - Draft Submissions on Confidentiality
17-Jan-13	1.50	prep - Draft Interrogatories
22-Feb-13	1.00	prep - Draft Supplemental Interrogatories
10-Mar-13	1.50	prep - Prepare for ADR
26-Mar-13	0.75	prep - Review Settlement Proposal
12-Apr-13	0.50	prep - Review Decision
<b>Total</b>	<b>7.50</b>	<b>Preparation</b>

**Date Hours Note**

11-Mar-13	7.00	Attend ADR, Day 1
<b>Total</b>	<b>7.00</b>	<b>Attendance - ADR</b>

**Date Hours Note**

14-Nov-12	0.50	CM - File Notice of Intervention
08-Jan-13	0.25	CM - File Submissions on Confidentiality
18-Jan-13	0.25	CM - Check & File Interrogatories
18-Jan-13	0.25	CM - Check & File Confidential Interrogatories
25-Feb-13	0.25	CM - Check & File Supplemental Interrogatories
25-Feb-13	0.25	CM - Check & File Supplemental Confidential Interrogatories
<b>Total</b>	<b>1.75</b>	<b>Case Management</b>

-----  
RECEIPT  
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CAR PARK: Yonge & Eglinton Ctr  
DEVICE: Paystation 4  
PAID: 11/03/13 05:52P  
SHORT TERM 001609  
ENTRY: 11/03/13 09:26A  
EXIT: 11/03/13 05:51P  
PARKING DURATION: 000 08:25  
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  
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830387