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April 16, 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-2012-00055 – Enbridge Gas Distribution Inc.
2011 ESM and Deferral Account Disposition
Energy Probe – Costs Submission**

Pursuant to the Decision and Order, issued by the Board on March 14, 2013, please find attached the Costs Submission of Energy Probe Research Foundation (Energy Probe) in the EB-2012-0055 proceeding for consideration by the Board.

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

Yours truly,

David S. MacIntosh
Case Manager

cc: Norm Ryckman, Enbridge Gas Distribution Inc. (By email)
Fred Cass, Aird & Berlis LLP (By email)
David Stevens, Aird & Berlis LLP (By email)
Randy Aiken, Aiken & Associates (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-	2012-0055	Process:	Enbridge Gas Distribution 2011 ESM 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- 2012-0055 Process: Enbridge Gas Distribution 2011 ESM Applicat

Party: Energy Probe Research Foundation

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$9,778.50
Disbursements	222.18
HST	646.53
Total Cost Claim	\$10,647.21

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2012-0055	Process: Enbridge Gas Distribution 2011 ESM App.
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	4.20	\$330.00	\$1,386.00	\$90.09	\$1,476.09
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	2.50	\$330.00	\$825.00	\$53.63	\$878.63
Attendance - Oral Hearing		\$330.00	\$0.00	\$0.00	\$0.00
Argument	5.50	\$330.00	\$1,815.00	\$117.98	\$1,932.98
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$4,026.00	\$261.69	\$4,287.69

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	\$160.95	\$10.46	\$171.41
Meals	\$7.23	\$0.47	\$7.70
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$186.18	\$10.93	\$197.11

INVOICE

AIKEN & ASSOCIATES

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

INVOICE NO. 018-2013
DATE April 5, 2013
HST REGISTRATION NO. 130417983

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

PROJECT
EB-2012-0055 - Enbridge Gas Distribution Inc. - 2011 Deferral & Variance Accounts
Page 1 of 2

[illegible]

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

PROJECT				
EB-2012-0055 - Enbridge Gas Distribution Inc. - 2011 Deferral & Variance Accounts				
Page 2 of 2				

DATE	HOURS	DESCRIPTION	RATE	TOTAL
<u>EXPENSES</u>				
<u>Travel - Car</u>				
		Sub-Total - Travel - Car		0.00
<u>Travel - Other</u>				
Aug. 1		Parking at OEB	15.93	
		Sub-Total - Travel - Other		15.93
<u>Accommodation</u>				
July 31		Hotel, including parking	160.95	
		Sub-Total - Accommodation		160.95
<u>Meals</u>				
July 31		Dinner	7.23	
		Sub-Total - Meals		7.23
<u>SUMMARY</u>		<u>TOTAL FEES AND EXPENSES</u>		4,210.11
		<u>HST DETAIL</u>		
		Consulting Fees (@ 13.0%)		523.38
		Travel - Car (@ 13.0%)		0.00
		Travel - Other (@ 13.0%)		2.07
		Accommodation (@ 13.0%)		20.92
		Meals (@ 13.0%)		0.94
		<u>TOTAL HST</u>		547.31
			SUBTOTAL	4,210.11
			H.S.T.	547.31
			TOTAL	\$4,757.42

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 # TDV-11467

Room No.	459	Page No.	1 of 2
Arrival	07-29-12	Cashier No.	123
Departure	08-01-12	User ID	CHA

Date	Description	Charges	Credits
07-29-12	*Accommodation	129.00	
07-29-12	Room HST 13%	16.77	
07-29-12	Parking 4	11.95	
07-29-12	Other HST 13%	1.55	
07-30-12	*Accommodation	149.00	
07-30-12	Room HST 13%	19.37	
07-30-12	Parking 4	11.95	
07-30-12	Other HST 13%	1.55	
07-31-12	*Accommodation	149.00	
07-31-12	Room HST 13%	19.37	
07-31-12	Parking 4	11.95	
07-31-12	Other HST 13%	1.55	

EB-2012-06



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

A/R Number
Group Code
Invoice No.
Reference # TDV-11467

Room No.	459	Page No.	2 of 2
Arrival	07-29-12	Cashier No.	123
Departure	08-01-12	User ID	CHA

Date	Description	Charges	Credits
	Total	523.01	0.00
	Balance	523.01	

					Room HST 13		Other HST 13		
0.00	0.00	0.00	0.00	0.00	55.51	0.00	4.65	0.00	0.00

Guest Signature: _____

I have received the goods and / or services in the amount shown hereon. 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.

metro

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

7/31/12 4:22 PM 0752 12 0287 210

RECEIPT

CAR PARK: Yonge & Eglinton Ctr
DEVICE: Paystation 2
PAID: 01/08/12 12:29P
SHORT TERM 171641
ENTRY: 01/08/12 07:02A
EXIT: 01/08/12 12:32P
PARKING DURATION: 000 05:27
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

F260 BEVERAGE	1.00	H
MINI DESSERT	1.89	RF
F2 TURKEY KAISER	4.29	RF
PLASTIC BAG	.05	H
R-HST 5%	.31	
H-HST 13%	.14	
F-PREP FOOD TX 8%	.49	
TAX .94 BAL	8.17	
Cash	20.00	
CHANGE	11.83	

TOTAL NUMBER OF ITEMS SOLD = 4

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 ****
7/31/12 16:22 0752 12 0287 210

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB-	2012-0055	Process:	Enbridge Gas Distribution 2011 ESM App.
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	6.00	\$290.00	\$1,740.00	\$113.10	\$1,853.10
Attendance - Technical Conference		\$290.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	9.50	\$290.00	\$2,755.00	\$179.08	\$2,934.08
Attendance - Oral Hearing	2.00	\$290.00	\$580.00	\$37.70	\$617.70
Argument	1.75	\$290.00	\$507.50	\$32.99	\$540.49
Case Management	1.00	\$170.00	\$170.00	\$11.05	\$181.05
TOTAL LEGAL/CONSULTANT FEES					
			\$5,752.50	\$373.91	\$6,126.41

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	\$36.00	included	\$36.00
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:			
	\$36.00	\$0.00	\$36.00

Time Sheet for D. MacIntosh**Board File: EB-2012-0055 EGD 2011 ESM & Deferral + Variance Accounts****Summary: Hours**

Preparation	6.00
Attend. Tech.	0.00
Attend. ADR	9.50
Attend. Hearing	2.00
Argument Prep.	1.75
Case Mngt. (CM)	1.00

Total	20.25
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Date Hours Note

08-Jul-12	0.75	prep - Review Prefiled Evidence
10-Jul-12	0.50	prep - Draft Interrogatories
26-Jul-12	1.50	prep - Review Interrogatory Responses, Prepare for ADR
08-Aug-12	1.00	prep - Review Draft Settlement Proposal, Emails
28-Aug-12	0.75	prep - Review Draft Settlement Proposal, Many Emails, Sign Off
21-Nov-12	1.00	prep - Prepare for Hearing
01-Apr-13	0.50	prep - Prepare Comments on Draft Rate Order

Total	6.00	Preparation
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Date Hours Note

01-Aug-12	5.00	Attend Settlement Conference
02-Aug-12	4.50	Attend Settlement Conference

Total	9.50	Attendance - Settlement Conference
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Date Hours Note

09-Dec-12	1.00	Arg - Draft Argument
16-Mar-13	0.75	Arg - Review Decision and Order

Total	1.75	Argument Preparation
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Date	Hours	Note
22-Nov-12	2.00	Attend Hearing
Total	2.00	Attendance - Hearing

Date	Hours	Note
13-Jul-12	0.50	CM - Check & File Interrogatoriess
10-Dec-12	0.25	CM - File Argument
02-Apr-13	0.25	CM - File Comments on Draft Rate Order
Total	1.00	Case Management

 RECEIPT

 CAR PARK: Yonge & Eglinton Ctr
 DEVICE: Paystation 4
 PAID: 01/08/12 05:41P
 SHORT TERM 153843
 ENTRY: 01/08/12 09:25A
 EXIT: 01/08/12 05:45P
 PARKING DURATION: 000 08:16
 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: 02/08/12 03:32P
 SHORT TERM 153937
 ENTRY: 02/08/12 09:33A
 EXIT: 02/08/12 03:33P
 PARKING DURATION: 000 05:59
 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
