

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- 2011-0021

Process: Regional Planning (Energy)

Party: Nishnawbe Aski Nation

Affiant's Name: Douglas Cunningham, Stewart Communica

HST Number: 812027423 RT0001

HST Rate Ontario: 13.00%

Full Registrant ☐
Unregistered ☐
Other ☐

Qualifying Non-Profit ☒
Tax Exempt ☐

Affidavit

I, Jeff Nelson, of the City/Town of Thunder Bay
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.

X
Signature of Affiant

Sworn or affirmed before me at the City/Town of Thunder Bay
in the Province/State of Ontario, on May 16, 2013
(date)

Robert C. Edwards
Commissioner for taking Affidavits
ROBERT C. EDWARDS
BARRISTER, SOLICITOR
NOTARY PUBLIC PROVINCE OF ONTARIO
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Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2011-0021

Process: Regional Planning (Energy)

Party: Nishnawbe Aski Nation

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$73,880.00
Disbursements	\$5,902.27
HST	\$10,371.70
Total Cost Claim	\$90,153.97

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2011-0021</u>		Process: <u>Regional Planing (Energy)</u>	
Party: <u>Nishnawbe Aski Nation</u>		Name: <u>Douglas Cunningham, Stewart Communications</u>	
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	<u>22</u>	
Consultant:	<input checked="" type="checkbox"/>	<u>22</u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	196.00	\$330.00	\$64,680.00	\$8,408.40	\$73,088.40
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument	46.00	\$200.00	\$9,200.00	\$1,196.00	\$10,396.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$73,880.00	\$9,604.40	\$83,484.40

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies	\$276.50	\$35.95	\$312.45
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier	\$30.00	\$3.90	\$33.90
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air	\$2,093.96	\$272.21	\$2,366.17
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):	\$0.00	\$0.00	\$0.00
Parking		included	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation	\$3,298.31	\$428.78	\$3,727.09
Meals		\$0.00	\$0.00
Other: Agency Fees	\$203.50	\$26.46	\$229.96
TOTAL DISBURSEMENTS:	\$5,902.27	\$767.30	\$6,669.57

Douglas M. Cunningham, Barrister and Solicitor

10 King Street East

Suite 600

Toronto, ON M5C 1C3 Canada

Ph: (416) 703-5400

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Nishnawbe Aski Nation

710 Victoria Street East

Thunder Bay, ON

P7C 5P7

Attn: Jason Smallboy and Jeff Nelson

May 16, 2013

File #: 10041

Inv #: 55

RE: NAN re: Hydro One DSC Exemption

DATE	DESCRIPTION				
Mar-25-11	Meeting with Mel Stewart and discussion re: instructions from GC Stan Beardy concerning involvement in HORCI's application before the OEB to obtain certain exemptions from the DSC; reviewing Application materials from HORCI's March 1, 2011 filings with the OEB; phone call with M. Stewart re: same; review of OEB website for background material on DSC amendments	BW	3.80	1,254.00	DMC
Mar-29-11	Reviewing relevant provisions of the DSC from which HORCI seeks exemption; review of financial information provided by HORCI from NAN remote communities to justify proposed exemptions from the DSC; reviewing background material from OEB website concerning the development and implementation of the new rules from which HORCI now seeks exemption, and information relating to previous intervention and involvement of Hydro One (and HORCI) in that process	BW	2.80	924.00	DMC

Apr-01-11	Email from N. Louttit confirming instructions from GC Beardy to apply for intervenor status in OEB proceeding on behalf of NAN; drafting letter to OEB to request party intervenor status for NAN; phone call with Mel Stewart re: same, including issues which NAN will likely emphasize in response to specific exemption requests, and providing M. Stewart with weblinks for other background information; email to M. Stewart forwarding draft letter; finalizing letter and sending it to the Board Secretary at the OEB	BW	2.30	759.00	DMC
Apr-04-11	Review of email from M. Stewart concerning certain information relating to HORCI's application to the OEB; reviewing information available through Hydro One concerning the LEAP program, eligibility criteria and the requirements of distributors in providing access to LEAP, and email to M. Stewart re: same	BW	1.70	561.00	DMC
Apr-06-11	Meeting the GC Stan Beardy and Mel Stewart to discuss various energy-related issues relating to HORCI's application, and the impact which the proposed exemptions appear to have on disconnection/reconnection notices, arrears payment issues, and eligibility under the LEAP; obtaining instructions concerning the review of HORCI's proposed exemptions from DSC and issues to be highlighted by NAN in responding to the proposed exemptions; post-meeting discussion with Mel Stewart re: division of labour concerning materials to be reviewed and responding brief to be prepared for filing with the OEB; review of certain materials from OEB website	BW	3.40	1,122.00	DMC

Apr-19-11	Review of Hydro One's Conditions of Service and relevance of same for proposed exemptions; email to M. Stewart re: same; review of differences between the new DSC provisions and the proposed exemptions/alterations of HORCI	BW	2.80	924.00	DMC
Apr-20-11	Review of Divisional Court decision which subsequently led to creation of LEAP, and affirmation of OEB's jurisdiction to consider issues relevant to low income consumers in Ontario and the impact which DSC rules, difficulty in paying electricity bills, etc. can have on their access to gas and electric service; email to M. Stewart re: Divisional Court decision, and phone call with him concerning LEAP-related issues; email from Mel Stewart attaching his April 1, 2011 email to GC Stan Beardy concerning HORCI's application to the OEB; email from Mel Stewart concerning additional time needed to contact persons in selected NAN communities; phone call to M. Stewart re: same and discussion concerning the nature of the witness statements to be obtained	BW	3.40	1,122.00	DMC
Apr-21-11	Review of Procedural Order #1 issued by the OEB and deadlines outlined in same; phone call to M. Stewart re: same	BW	0.50	165.00	DMC
Apr-29-11	Gathering information to prepare responding interrogatories for HORCI; review of previous information filed by HORCI in 2008 Rate Application concerning arrears-related statistics and other issues relevant to HORCI's services in First Nation communities, and comparing such information to HORCI's evidence in this application; email to Mel Stewart forwarding OEB decision and reasons from December	BW	3.20	1,056.00	DMC

	10, 2010 concerning the RRRP benefit and charge for 2011; review of OEB information of LEAP from Training Webcast for submissions to be made on how proposed DSC exemptions may affect LEAP eligibility and payouts				
Apr-30-11	Working on written interrogatories for NAN to meet filing deadline; email to Mel Stewart forwarding Procedural Order No. 1	BW	3.70	1,221.00	DMC
May-05-11	Email to M. Stewart re: same; phone call to M. Stewart concerning the OEB Staff position on various issues which are of concern to NAN; reviewing HORCI's filed evidence and other documents from the OEB website to draft interrogatories	BW	2.10	693.00	DMC
May-06-11	Review of email from M. Stewart concerning HORCI's Revenues Receivables (in its filed financial information) and problems with HORCI's submissions concerning arrears on a seasonal and annual basis; phone call with M. Stewart re: same; review of M. Stewart's annotated questions to be included with written interrogatories to HORCI	BW	1.40	462.00	DMC
May-08-11	Drafting various interrogatories for HORCI based on its application and filed evidence; review of various NAN documents, and previous filings by HORCI to request explanation for certain discrepancies; review of evidence filed by HORCI in 2008 Rate Increase Application and making references to same in draft interrogatories, especially the breakdown in account arrears between residential and Standard "A" customers	BW	2.40	792.00	DMC
May-09-11	Review of LEAP Manual 2011, LEAP Webcast materials; OEB Notice of further amendments to DSC	BW	4.20	1,386.00	DMC

	(20 Oct 2010); and LEAP Training Broadcast materials; drafting interrogatories for response from HORCI; phone call to M. Stewart re: same, and discussion re: the financial information he has reviewed and the problems with the way in which data has been presented, and the seasonal fluctuations in account arrears regardless of disconnection/connection practices				
May-10-11	Revising questions and summarizing issues relating to financial-related interrogatories to be directed to HORCI	BW	1.50	495.00	DMC
May-12-11	Completing written interrogatories for HORCI's review and response; dictating letter to Board Secretary requesting one-day extension to file interrogatories; email from Board Secretary forwarding Board Staff Interrogatories, and reviewing same	BW	1.30	429.00	DMC
May-13-11	Final review and editing of written interrogatories and forwarding same to the OEB	BW	1.50	495.00	DMC
May-26-11	Reviewing HORCI's lengthy responses to interrogatories from NAN and Board Staff; phone call with Mel Stewart re: same and implications of the responses for submissions to be made to OEB	BW	2.20	726.00	DMC
May-27-11	Continued review of HORCI's responses to NAN's and Board Staff interrogatories; identifying problems and inconsistencies with HORCI's responses, as well as inadequate responses for follow-up from HORCI or, alternatively, a motion to the OEB re: same; phone call to Mel Stewart concerning same	BW	2.10	693.00	DMC
Jun-03-11	Reviewing Procedural Order No. 1, and letter to Board Secretary relaying NAN's request that certain deadlines	BW	1.40	462.00	DMC

	be vacated because of non-responsiveness of HORCI's answers to particular undertakings; reviewing the response to interrogatories to identify the information which HORCI has not provided				
Jun-06-11	Drafting NAN's submissions for the OEB based on HORCI's application, filed evidence, and incomplete answers to interrogatories	BW	3.70	1,221.00	DMC
Jun-08-11	Drafting letter to OEB to follow up on June 3, 2011 letter; email to GC Beardy and from Mel Stewart concerning OEB deadline and need to obtain witness statements from Sandy Lake and Bearskin Lake officials for NAN's submission to the OEB; drafting NAN's submission	BW	2.70	891.00	DMC
Jun-09-11	Review of email from Mel Stewart and attached witness statement to be used for NAN's submission to the OEB; receipt and review of Procedural Order No. 2 from the OEB; drafting NAN's submission to the OEB concerning HORCI's Application; phone call to Mel Stewart concerning new deadlines for submissions of certain materials; review of OEB website materials to provide background information in submissions to be filed for NAN	BW	3.10	1,023.00	DMC
Jun-10-11	Phone call with Michael Engelberg concerning new deadlines for certain submissions, and NAN's interest in having additional relevant information provided by HORCI to satisfy NAN's interrogatories; email to GC Beardy concerning Procedural Order No. 2, witness statements to be obtained by Mel Stewart, and NAN's proposed submission to the OEB	BW	0.80	264.00	DMC
Jun-16-11	Working on NAN's submission to the OEB; review of documentation from	BW	3.20	1,056.00	DMC

previous HORCI proceeding; review of certain legal literature on the duty to consult and accommodate; review of relevant NAN resolutions concerning duty to consult and negotiate; identifying additional information to be requested from HORCI to deal with deficiencies in responses to interrogatories; detailed review of HORCI's answers to interrogatories; drafting letter to HORCI's counsel requesting specific additional information in answer to NAN's original interrogatories; phone call with Mel Stewart concerning same

Jun-17-11	Continued drafting and finalizing letter to counsel for HORCI to identify additional information being sought by NAN to prepare its submission to the OEB; email from counsel for HORCI; drafting NAN's detailed and lengthy submission to the Board	BW	3.40	1,122.00	DMC
Jun-18-11	Drafting NAN's submission to the OEB; reviewing documentation on DSC exemptions proposed by HORCI	BW	1.80	594.00	DMC
Jun-24-11	Email from P. Catalano (Hydro One) enclosing survey completed in NAN communities to supplement HORCI's evidence in the proceeding, and reviewing same; drafting NAN's submission for the OEB; phone calls with Mel Stewart concerning arrears and payment information provided by HORCI as part of its evidence and argument; reviewing arrears spreadsheet and considering inconsistencies therein with HORCI's submissions about the need for more stringent arrears payment rules in NAN communities	BW	2.30	759.00	DMC
Jun-28-11	Drafting NAN submission for OEB; phone calls with Mel Stewart re: LEAP and arrears-related issues to be included in submission, and	BW	3.70	1,221.00	DMC

discussion concerning additional time needed because of witness statements from certain First Nations officials; drafting letter to OEB to request brief extension of filing deadline until July 4, 2011

Jun-30-11	Review of letter and attached submission from OEB Staff re: HORCI's application for exemption from the DSC generally and, alternatively, from specific provisions therein; phone calls to M. Stewart re: same; continued work on lengthy submission for NAN; review of witness statement from Sandy Lake officials; review of communication from OEB that extension to July 4, 2011 had been granted; reviewing materials from previous proceedings in which Hydro One participated and submissions were made on LEAP and other issues, including the amendments to the DSC from which HORCI is currently requesting exemption; revising general section from Mel Stewart on problems with the proposed exemptions and its significance for the LEAP in First Nation communities	BW	4.60	1,518.00	DMC
Jul-03-11	Drafting lengthy responding submission to the OEB to take issue with proposed exemptions for HORCI from the DSC; phone call to Mel Stewart re: same; email to A. Maciel concerning additional information to be forwarded to be included in NAN's submission; review of documentation from OEB website from previous proceedings involving the amendments introduced to the DSC from which HORCI seeks exemption; review of additional information on LEAP	BW	5.30	1,749.00	DMC
Jul-04-11	Revising and finalizing submission for OEB in response to HORCI's	BW	4.80	1,584.00	DMC

application; phone calls with Mel Stewart re: same, and discussing precise relief to be sought from the OEB in the proceeding; email from A. Maciel forwarding requested documentation to complete the OEB filing; communications with client representatives concerning NAN's submission to the OEB; email to the Board secretary forwarding NAN's submission

Jul-08-11	Phone call with Una O'Reilly concerning Electrification Agreements and AANDC's intention to scale back funding, if not withdraw from such Agreements; review of Electrification Agreement provided by HORCI for Kingfisher First Nation; email to Mel Stewart re: these and other issues relevant to the proceeding	BW	1.30	429.00	DMC
Jul-13-11	Review of letter and attached Reply submissions of HORCI to NAN's responding submissions; phone call to Mel Stewart re: same	BW	0.50	165.00	DMC
Jul-14-11	Drafting email to Grand Chief Stan Beardy re: HORCI's reply submissions	BW	0.40	132.00	DMC
Oct-12-11	Review of OEB's Interim Decision and Procedural Order No. 3; phone call with Mel Stewart re: same and issues relating to the Duty to Consult and Accommodate	BW	0.80	264.00	DMC
Oct-13-11	Drafting email to Grand Chief Beardy re: Procedural Order No. 3 and steps to be taken on behalf of NAN to comply with the Order, including preparation of submissions relating to the duty to consult and accommodate. Review of existing file materials on such duties.	BW	1.70	561.00	DMC
Nov-23-11	Review of email from T. Reilly (research lawyer) and attached	BW	1.80	594.00	DMC

materials on duty to
consult/accommodate, and
commencing drafting of submission
to the OEB

Nov-25-11	Request to T. Reilly to obtain certain case law for submission to OEB; and review of same; conducting internet research on historical issues relating to Hydro One and HORCI; drafting submission for OEB; email from client concerning issues relating to the OEB proceeding; further legal research on Crown's fiduciary and other duties	BW	3.80	1,254.00	DMC
Nov-29-11	Drafting OEB submission on issues raised by HORCI's application which trigger a duty to consult and accommodate; reviewing research materials; phone calls and email to Mel Stewart re: same and information received from Sandy Lake representatives and Webequie officials concerning consultation about HORCI's disconnection, reconnection, and arrears payment practices	BW	5.60	1,848.00	DMC
Nov-30-11	Review of email from Mel Stewart to relay information from certain First Nation (NAN) communities; revising penultimate draft of written submission to be filed with OEB; phone call with M. Stewart re: same; reporting to Heather Ross (NAN) re: submissions for OEB; instructions to A. Maciel concerning filing of written submissions with OEB and service on HORCI	BW	2.80	924.00	DMC
Dec-15-11	Review of HORCI reply submissions to NAN's submission on the duty to consult and accommodate; phone call and email to Mel Stewart re: same	BW	1.10	363.00	DMC
Jan-06-12	Email from NAN official re: preparing a presentation concerning	BW	0.50	165.00	DMC

	HORCI's application before the OEB; phone call to Yanyan Chen (NAN) re: same				
Jan-26-12	Emails from Gail Dick (NAN) and Mel Stewart concerning briefing note for NAN Executive on HORCI proceeding and related issues	BW	0.30	99.00	DMC
Jan-28-12	Preparing written brief for NAN concerning HORCI's application, summarizing NAN's positions, and NAN's request for an interim order from the Board, and OEB's interim order in October 2011	BW	0.30	99.00	DMC
Jan-30-12	Email and phone call with Mel Stewart concerning setting up consultation meeting with HORCI officials as per OEB Interim Order	BW	0.30	99.00	DMC
Feb-24-12	Review of letter from Una O'Reilly for Grand Chief Beardy; email to Una O'Reilly re: proposed meeting between NAN and HORCI officials; phone call to NAN office requesting conference	BW	0.60	198.00	DMC
Mar-16-12	Email from Una O'Reilly re: follow-up to proposed meeting; phone call to NAN offices	BW	0.20	66.00	DMC
Mar-20-12	Email to Grand Chief Beardy and David Fletcher (NAN) re: proposed meeting in Thunder Bay with HORCI officials; phone call with Mel Stewart re: same; email to Una O'Reilly concerning meeting in early April 2012	BW	0.90	297.00	DMC
Mar-21-12	Emails to and from NAN officials to obtain instructions re: proposed meeting with HORCI officials; email from Una O'Reilly (HORCI) re: the proposed meeting; phone call to Mel Stewart concerning issues to be canvassed and emphasized during the meeting	BW	1.20	396.00	DMC

Mar-25-12	Email to NAN officials to confirm April 2012 meeting with HORCI officials; phone email from M. Stewart re: same	BW	0.20	66.00	DMC
Mar-26-12	Email from NAN confirming availability of David Fletcher (NAN) for meeting with HORCI; review of file materials to identify key items to be discussed at the meeting; email to Una O'Reilly concerning attendance of D. Fletcher (NAN) at the April 11, 2012 meeting	BW	0.80	264.00	DMC
Apr-03-12	Emails with Mel Stewart concerning meeting with HORCI officials on April 11, 2013 and instructions to A. Maciel concerning same	BW	0.30	99.00	DMC
Apr-10-12	Travelling to Thunder Bay and preparing for meeting with NAN and HORCI officials; email to Mel Stewart re: materials for the meeting; email to Una O'Reilly re: meeting on April 11, 2012; preparing for the meeting with HORCI officials by reviewing filed materials and written submissions, and reviewing proposed exemptions from DSC, and discussions with Mel Stewart re: same	BW	6.70	2,211.00	DMC
Apr-11-12	Meeting with David Fletcher (NAN) to discuss issues to be canvassed in meeting with HORCI officials; meeting with D. Fletcher, Mel Stewart, Una O'Reilly and other HORCI officials to deal with the submissions and positions of the parties, with a view to seeing whether settlement can be reached or, alternatively, a proposal from NAN should be prepared; review of written materials from the meeting provided by HORCI officials	BW	7.50	2,475.00	DMC
Apr-12-12	Further discussion with Mel Stewart concerning outcome of the meeting with HORCI and preparation of a proposal from NAN, review of	BW	3.50	1,155.00	DMC

	HORCI materials, and returning to Toronto				
Apr-27-12	Emails to and from Una O'Reilly concerning proposal to be put together by NAN; phone call to Mel Stewart re: same	BW	0.60	198.00	DMC
Apr-30-12	Review of additional Electrification Agreement provided by Una O'Reilly, and email to M. Stewart re: same	BW	0.50	165.00	DMC
May-09-12	Follow-up emails to and from M. Stewart concerning NAN proposal to be prepared for HORCI, and meeting re: same in Toronto	BW	0.30	99.00	DMC
May-16-12	Review of email from Mel Stewart with Briefing Note for NAN executive concerning HORCI's application for certain exemptions from the DSC; phone call with Mel Stewart re: same	BW	0.70	231.00	DMC
May-24-12	Email from Una O'Reilly forwarding additional Electrification Agreement and inquiring about NAN proposal; email to M. Stewart re: same	BW	0.50	165.00	DMC
May-30-12	Instructions to A. Maciel concerning documents to be organized and printed to draft NAN proposal; review of certain of the documents	BW	1.30	429.00	DMC
Jun-01-12	Drafting proposal for NAN to deal with outstanding issues in HORCI's application	BW	2.70	891.00	DMC
Jun-07-12	Email to Una O'Reilly re: pending OEB deadline for submission of HORCI summary to the Board; further work on the proposal from NAN	BW	2.40	792.00	DMC
Jun-18-12	Discussion with Mel Stewart concerning the NAN proposal and request to be made to the OEB to extend deadline for submission of the	BW	0.40	132.00	DMC

	summary with the OEB so that another meeting can take place with HORCI officials				
Jun-19-12	Drafting letter to Board Secretary re: request for extension of deadline for submission of summary from previous meeting between the parties; phone call with Mel Stewart re: same	BW	0.90	297.00	DMC
Jun-20-12	Review of OEB documents relevant to HORCI's application and working on draft proposal; email to A. Maciel re: same	BW	1.40	462.00	DMC
Jun-25-12	Email to Mel Stewart concerning the specific provisions from which HORCI seeks exemption; reviewing certain documents for the NAN proposal	BW	1.10	363.00	DMC
Jul-03-12	Review of letter from HORCI providing its summary and significant supporting documentation pursuant to Procedural Order No. 3; phone call to Mel Stewart re: same	BW	2.60	858.00	DMC
Jul-05-12	Phone call from Mel Stewart concerning the summary from HORCI; review of the documentation from HORCI outlining alleged consultation which took place between HORCI and certain NAN communities concerning disconnection and reconnection practices, and arrears payment programs.	BW	1.10	363.00	DMC
Jul-09-12	Review of OEB information on the LEAP and provisions therein which are relevant to HORCI's request for certain exemptions	BW	1.10	363.00	DMC
Jul-10-12	Drafting charts to show the differences between arrears payment rights of regular customers and low-income customers of HORCI and other distributors (for the NAN proposal to the OEB)	BW	1.20	396.00	DMC

Jul-20-12	Review of letter from OEB and Procedural Order No. 4; email from Mel Stewart re: same; phone call to Mel Stewart to divide responsibilities in doing further research and to complete the NAN proposal by August 20, 2012 deadline, and possibility of further meeting with HORCI officials by September 17, 2012	BW	1.20	396.00	DMC
Jul-29-12	Preparing lengthy Briefing Note for NAN Executive as the basis for NAN's proposal to the OEB. Review of LEAP requirements, review of DSC arrears payments provisions, and HORCI's proposed payment plan	BW	4.10	1,353.00	DMC
Jul-30-12	Phone calls to Mel Stewart concerning the positions to be taken on each proposed exemption from the DSC; drafting lengthy Briefing Note which will serve as basis for the NAN proposal. Review and summary of various OEB orders and describing the differences between the DSC provisions and HORCI's proposed substituted practices in light of exemption requests	BW	3.70	1,221.00	DMC
Aug-01-12	Completing lengthy Briefing Note for review by NAN officials so that NAN proposal can be revised if needed and finalized by August 20, 2012 deadline; phone call to Mel Stewart re: same; emailing Briefing Note for review by NAN officials	BW	4.60	1,518.00	DMC
Aug-05-12	Review of Briefing Note and two emails to Mel Stewart to make certain corrections to information on arrears payment programs	BW	0.90	297.00	DMC
Aug-08-12	Review of email and attached revised Briefing Note from Mel Stewart to confirm proper revisions; review of email from Mel Stewart forwarding Executive Summary for Briefing Note	BW	1.20	396.00	DMC

	to NAN Executive				
Aug-09-12	Email to Mel Stewart to correct certain information and preparation of the NAN proposal based on the Briefing Note	BW	0.20	66.00	DMC
Aug-13-12	Email to Mel Stewart inquiring about the distribution of the Briefing Note and Executive Summary, and completion of the NAN proposal by the August 20, 2012 deadline	BW	0.20	66.00	DMC
Aug-14-12	Emails from and to Mel Stewart concerning the Briefing Note and Executive Summary and feedback concerning same	BW	0.30	99.00	DMC
Aug-15-12	Review of email from Mel Stewart re: draft proposal	BW	0.20	66.00	DMC
Aug-18-12	Drafting NAN proposal based on Briefing Note and revisions given the feedback from NAN	BW	2.30	759.00	DMC
Aug-20-12	Drafting and revising NAN proposal for delivery to HORCI and to OEB; finalizing same; emails to and from A. Maciel re: changes to be made to NAN proposal and submission of the proposal to Board secretary; emails to and from Una O'Reilly concerning the proposal	BW	4.10	1,353.00	DMC
Aug-21-12	Emails to and from Una O'Reilly concerning meeting with HORCI and NAN officials before September 17, 2012	BW	0.20	66.00	DMC
Aug-22-12	Drafting updated but short Briefing Note for NAN executive members re: HORCI proceeding	BW	0.50	165.00	DMC
Aug-24-12	Email from Una O'Reilly re: September 2012 meeting; phone call to Mel Stewart re: same	BW	0.40	132.00	DMC
Aug-29-12	Email to D. Fletcher (NAN) re: proposed meeting with HORCI officials in early September 2012;	BW	0.20	66.00	DMC

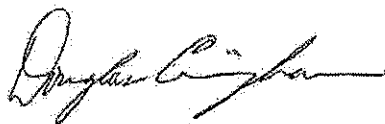
	phone message to M. Stewart re: same to confirm his availability				
Aug-30-12	Email from D. Fletcher; email and phone call to Mel Stewart to try to co-ordinate proposed meeting, and to discuss the key issues to focus on for NAN; email to Una O'Reilly re: September 11, 2012 meeting in Thunder Bay	BW	0.70	231.00	DMC
Sep-03-12	Email from Una O'Reilly confirming the September 11, 2012 meeting; phone call to Mel Stewart re: same	BW	0.20	66.00	DMC
Sep-04-12	Review of materials to be discussed at September 11, 2012 meeting and confirming arrangements re: same	BW	0.80	264.00	DMC
Sep-05-12	Reviewing information from NAN concerning David Fletcher's status with NAN; email to Mel Stewart re: same to ensure alternate representatives are available for meeting with HORCI officials	BW	0.30	99.00	DMC
Sep-07-12	Drafting briefing email to Ben Cheechoo (NAN) to assist in preparation for September 11, 2012 meeting with HORCI officials; phone call to Mel Stewart re: same; emails to and from Una O'Reilly re: attendees at the meeting and related issues	BW	1.30	429.00	DMC
Sep-10-12	Travelling to Thunder Bay for meeting with HORCI and NAN officials, and preparing for the meeting	BW	4.80	1,584.00	DMC
Sep-11-12	Meeting with Jason Smallboy and Ben Cheechoo to discuss issues relating to HORCI application and meeting to take place with HORCI officials; and attending the meeting with NAN and HORCI officials, and Mel Stewart, and returning to Toronto	BW	6.80	2,244.00	DMC
Sep-12-12	Preparing Briefing Note (i.e. report) to client concerning issues in the OEB	BW	1.40	462.00	DMC

	proceeding, the position taken by NAN, and discussions at meeting in Thunder Bay with HORCI officials				
Sep-18-12	Follow-up email to Una O'Reilly re: whether HORCI filed a report with the OEB on September 17, 2012	BW	0.20	66.00	DMC
	Review of email from Una O'Reilly attaching submission filed with the OEB on September 17, 2012; phone call to Mel Stewart re: same, and follow up with client representatives	BW	1.20	396.00	DMC
Sep-19-12	Completing Briefing Note for NAN as per instructions from Ben Cheechoo to report matters to NAN Executive re: HORCI proceeding and September 11, 2012 meeting; phone call with Mel Stewart to obtain his feedback and information	BW	3.50	1,155.00	DMC
Oct-11-12	Review of Interim Order issued by Special Counsel to the OEB; phone call to Mel Stewart re: same	BW	0.40	132.00	DMC
Oct-15-12	Email to Ben Cheechoo re: Interim Order of the OEB, dated 11 October 2012	BW	0.20	66.00	DMC
Feb-06-13	Emails from and to Jason Smallboy (NAN) requesting status update on the proceeding	BW	0.20	66.00	DMC
Apr-25-13	Review of email and Decision of the OEB determining the Application of HORCI on its merits; phone call to Mel Stewart re: same	BW	0.70	231.00	DMC
	Totals		196.00	\$64,680.00	
	Total HST on Fees			\$8,408.40	

DISBURSEMENTS

		Expl Cd.	Disbursement s
	Courier	cr	15.00
Nov-27-11	Photocopies	ph	276.50
	Agency Fees - Tim Reilly Legal Research	ag	203.50

Nov-30-11	Courier to OEB	cr	15.00	
Apr-10-13	Travel - Flight April 10-12 - Douglas Cunningham	trv	334.25	
May-14-13	Travel - Valhalla Inn for Douglas Cunningham for April 10-12, 2012 and September 10, 2012 at \$145 per night	trv	435.00	
	Totals		<u>\$1,279.25</u>	
	Total HST on Disbursements		\$166.30	
	Total Fees, Disbursements & HST			<u>\$74,533.95</u>



DOUGLAS M. CUNNINGHAM
Barrister & Solicitor

Tax ID No. 864856695 RT0001
*tax exempt

Accounts are payable upon receipt. Unpaid accounts are subject to a 2.0% interest charge per month.

12-039

PAID
6-11
MAY 02 2013
CHS 49770
NISHNAWBE ASKI NATION

Date: April 29 2013

		Communication with ED re Updates for Chiefs meeting				100	
	14	Communication to and from ED re Chiefs meeting				50	
	16	Meeting in Toronto with D Cunningham re HORCI and other energy issues				800	
	17	Meeting in Toronto with D Cunningham and F Lazar re Energy etc.				800	
	22	Communication with ED re Toronto meetings				100	
	23	Prepare draft briefing notes for meeting with GC re energy				800	
	24	Forward Briefing notes to D Cunningham and discussion by telecon				100	
	27	Meeting in Toronto re Energy with D Cunningham prep for meeting with GC and ED				800	
	28	Review NORONT proposal re Fling of Fire infrastructure/Communication with ED re					
		Meeting in Toronto with D Fletcher and F Lazar re Energy/Mining and related issues				800	
		at Yulich Centre, Bay Street, Toronto/Meeting with D Fletcher, D Cunningham					
		re energy					
Mar							
	1	Meetings at NAN Offices with G. Dick re Protocol etc. D Fletcher re various and					
		Grand Chief lunch meeting.				800	
	8	Prepare Energy Upadate briefing for NAN Chiefs Meeting				600	
	9	Complete energy Update and forward to G Dick and ED				400	
		review OEB Procedural Order #1 re East West Tie / NAN Application as intervenor				200	
	12	Communication and re send of Speaking notes			n/c		
		research re East West Tie and review of Canadian Manufacturers and Exporters					
		application for intervenors and costs/communication with ED and D Cunningham re				400	
	14	Communication with GC re Energy and Briefing note prepared and sent					
		Confirmation of receipt of Briefing note for NAN Chiefs Meeting					
		review communications re FIT review by Ontario prepare comment to GC and ED				400	
	19	Forward Briefing note to GC and ED re FIT Review and possible effects on NAN					
		Need for separate Northern Energy Plan				400	
	22	Communication re HORCI meeting				50	
	25	Communications with D Cunningham re HORCI issues and arrangements				100	
	26	Review communications re arrangements for HORCI meeting				50	
	29	Review of Federal Budget and communication with Grand Chief				100	
Total Fees						16350	
				**	HST missed!	2125.57	700-32
Expenses							
	Jan-30	SLKT to T Bay return	KLM	770	0.43	331.1	
	Feb-15	SLKT to T Bay return	KLM	770	0.43	331.1	
	Feb-16	Hotel Toronto	Courtyard Marriott			163.37	
	Feb-21	Hotel Toronto	Courtyard Marriott			269.94	

Contract 12-039

Stewart Communications Inc.									
P.O. Box 1663 Sioux Lookout, Ontario									
Tel: 807 737 2276 Fax: 807 737 1211									
e-mail: meljstewart@knet.ca									
Billing to Nishnawbe Aski Nation									
Date: 30/04/2013									
Re: Hydro One Remotes application for Exemption from Distribution Service Code									
	10/04/2012	Preparation of materials and meeting with D Fletcher re							CODE
	11/04/2012	mmeting with Hydro One Remotes/DSC exemption.				800.00			BLD AL
	11/04/2012	Breakfast meeting with D Fletcher/Doug Cunningham re HORCI/DSC							-1115
		Meeting at Valhalla Inn with HORCI /Una Oriley/Nicole Kaufman							
	16/04/2012	Kramer Coulter, Dave Fletcher, Doug Cunningham, Mel Stewart				800.00			-100
		Review of LICO criteria and household costs in Ontario per Stats Canada							
		Meeting with David Fletcher to review HORCI meeting.				400.00			-100-32
	10/05/2012	Preparation of Briefing Note re HORCI Application for DSC exemption							
		for NAN Chiefs meeting in Cochrane May 15, 16, 17				200.00			
	16/05/2012	Attendance at NAN Chiefs Meeting re HORCI DSC Exemption.				800.00			
	06/09/2012	Preparation of Briefing materials for B. Cheechoo AED, as per J. Smallboy				100.00			
	11/09/2012	Meeting with Hydro One Remotes Valhalla Inn/Thunder Bay							
		Bentley Cheechoo Acting Exec Director/Jason Smallboy							
		Doug Cunningham				800.00			
Total Fees									
						3900.00			
						507.00			
Expenses									
	09/04/012	SLKT to T Bay return				770	0.43	331.10	
	10/04/012	SLKT to T Bay return				770	0.43	331.10	
		Sub Total						662.20	
Total this billing:									
						5069.20		7100-32	

Signature

April 29 2013
Date.

PAID
6-11
APR 22 2013
Chg 49770
NISHNAWBE ASKI NATION

STEWART
DATE: 3/31/13
B # 18-2
412-91112
471586
32 \$ AU
35584
5069.20

	Feb-27	return Flight to Toronto	Porter Air		726.87			
	Feb-29	Hotel Toronto	Courtyard Marriot		370.64			
		Sub Total			2193.02		2193.02	
		Total this billing:					18543.02	700-32
		Thank You						
		Mei Stewart						

26,668.52