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Fogler, Rubinoff LLP

May 30, 2013

Reply To: Thomas Brett Direct Dial: 416.941.8861 E-mail: tbrett@foglers.com Our File No. 124165

VIA EMAIL AND COURIER

Ontario Energy Board P.O. Box 2319 2300 Yonge Street, 27th Floor Toronto ON M4P 1E4

Attention: Kirsten Walli,

Board Secretary

Dear Ms. Walli:

EB-2012-0064; Cost Claim of Building Owners and Managers Association Re:

("BOMA")

I am writing to file the attached cost claim from BOMA, and to apologize to the Board for the lateness of the filing, and to provide an explanation for the delay. While there is never any excuse for an experienced counsel to miss a filing date, there are some unusual factors in this instance which BOMA believes contributed to the degree of lateness of the filing. The filing was due May 16th and it is being made today, May 30th.

The Board issued its decision in EB-2012-0064 ("0064") on April 2, 2013, and its final rate order for the case on May 9th. BOMA received a copy of the Rate Order in 0064 on May 9th. Understandably, the Board did not indicate a date when cost submissions needed to be filed, either at the end of the order itself or in the covering e-mail from Ms. Ing, the Case Administrator. The Board did, of course, indicate, in its 0064 decision on April 2, 2013, that the intervenors should file cost claims within seven days of issuance of the final rate order.

As it happened, I was not in the office on the day the final order arrived, having taken the week to attend first the CAMPUT conference in Niagara Falls and later a meeting of Canadian Energy Law Association in Toronto. I am the only energy lawyer at Foglers, so there was no second lawyer here to note the arrival of the document.



During the following ten days, I was engaged in reviewing the evidence in the natural gas Combined Proceedings, and, in particular, producing a substantial number of interrogatories, which were filed, as due, on May 21st. My assistant worked closely with me over that period producing many drafts of the interrogatories, and locating materials, ancillary to the evidence itself, that I required to properly frame the interrogatories. My assistant left for her holidays on Wednesday, May 22nd, and returned today.

Since the intervenors' cost submissions are not public documents, I did not realize BOMA had missed the filing deadline until May 23, 2013, when we received a copy of THESL's submission to the Board, noting the intervenors that made cost claims and objecting to the claim of one of the intervenors, I noted that the letter did not include BOMA on the list of parties that made cost claims. I also received a call from a Board staff member later that same day, asking me if BOMA intended to make a cost claim and reminding me that we were late. While I was away from my office on the 24th on a business trip, on Monday morning, I called Martin Davies at the Board to indicate that BOMA would be making a late cost claim, but that it would not be filed until Thursday, the 30th (today) because my litigation assistant was away on a brief holiday and would return that day, and her electronic records of the dockets and codes for the time spent and disbursements were not accessible. She arrived in the office earlier today, has organized the dockets and we have prepared the submission. I have informed Ms. Klein at Toronto Hydro that BOMA is filing a late claim today with the Board, and that she will receive a copy today, and have informed Ms. Ing, the case administrator, that the claim will be filed today.

As the Board is aware, BOMA participated actively in all phases of the hearing. It filed several interrogatories, attended the Technical Conference, and was an active participant in both the Settlement Conference and the hearing, and made substantial final arguments. It believes that it behaved in a responsible manner throughout and hopefully made a contribution to the quality of the proceeding. We deeply regret the oversight with respect to timely filing of the cost claim.

Yours truly,

FOGLER, RUBINOFF L

Thomas Brett

TB/dd Encls.

cc:

Amanda Klein, THESL (by email) Fred Cass, Aird & Berlis (by email)

Marion Fraser (by email)

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.

| | | | | Instruction | s · | | |
|--|---|---|--|--|---|--|--|
| - Required da | ata input is indic | cated by yellow-shade | ed fields. Fo | rmulas are p | esent in the do | cument to assist wi | th the calculation of the |
| cost claim. | | | | | | | |
| - All claims m | iust be in Canad | lian dollars. If applica | | | and country of | | |
| - A separate | "Detail of Fees a | and Disbursements Be | Rate ing Claime | | g a "Statement | Country: of Fees Being Claim | ned" and a "Statement of |
| | | d") is required for each | - | | _ | _ | |
| | ~ | rsements" covering t | | | - | | ,, |
| | • | ported by a complete | | | • | | |
| | | ust be attached unles | ss, for a give | en consultant | , a CV has been | provided to the Bo | ard in another process |
| | st 24 months. | 7.02 - fab - D | - Di | | | | |
| - ехсері аз р | rovided in secti | on 7.03 of the Praction | e Direction | I OII COST AW | arus, iternizea r | eceipts must be pro | ovided. |
| File # EB- | 2012-0064 | | | Process: | THESL 2012-2 | 2014 IRM Rates | |
| Party: | ВОМА | | | = | iant's Name: | | |
| - | P44042 | 0050 | | - 2 | - | | 43.00% |
| HST Numbe | er: R11942 | 0859 | | =3 | HSII | Rate Ontario: | 13.00% |
| | | Full Registrant | 7 | | Qualifyin | g Non-Profit | |
| | | Unregistered | | | | Tax Exempt | |
| | | Other | | | | | |
| 1, | | Tom Brett | RAP 1 | Affidavit | ty/Town of | , 4 | oronto |
| | ince/State of | Or | ntario | =0 | - | , swear or affirm | that: |
| 2. I have example and the second of the seco | mined all of the d", "Statement(ed "Summary of the Being Claime gy Board process laim does not in sections 6.95 ar | s) of Fees Being Clain f Fees and Disbursem d" include only costs is referred to above. iclude any costs for w ind 6.09 of the Board's | pport of thined" and "Sients Being incurred an ork done, o | s cost claim, tatement(s) Claimed", "S ad time spent or time spent | including the attention of Disbursement (a) of Factor of The directly for the by a person the est Awards. | tached "Summary c ts Being Claimed". Fees Being Claimed" purposes of the Pa | of Fees and Disbursements and "Statement(s) of rty's participation in the r officer of the Party as |
| | / | 6 | | | | | |
| 4 | | | | | | | |
| Commissio | ner for takin | g Affidavits | | | | | |
| - 4 | 98056 | - | | Page 1 of 3 | | | |

Ontario Energy Board COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees \$104,445.00

Disbursements \$51.95

HST \$13,584.60

\$124,292.85

Total Cost Claim

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

| File # EB- | 2012-0064 | <u></u> | Process: | THESL 2012-201 | 14 IRM Rates | |
|------------|--------------------------------|----------|----------|---|--------------|--|
| Party: | ВОМА | | Name: | Tom Brett | | |
| | | | | Completed Practising/Years experier | of relevant | |
| Counse | I/Articling Student/Paralegal: | V | | 35 | | |
| | Consultant: | | | - | | |
| | CV attached: | | CV n | ot required: | ✓ | |

Statement of Fees Roing Claimed

| | Hours | Hourly rate | Subtotal | нѕт | Total | |
|------------------------------------|-------------|----------------|-------------|-------------|--------------|--|
| Preparation | 234.50 | \$330.00 | \$77,385.00 | \$10,060.05 | \$87,445.05 | |
| Attendance - Technical Conference | 15.00 | \$330.00 | \$4,950.00 | \$643.50 | \$5,593.50 | |
| Attendance - Settlement Conference | 22.50 | \$330.00 | \$7,425.00 | \$965.25 | \$8,390.25 | |
| Attendance - Oral Hearing | 44.50 | \$330.00 | \$14,685.00 | \$1,909.05 | \$16,594.05 | |
| Argument | | | \$0.00 | \$0.00 | \$0.00 | |
| Case Management | | \$170.00 | \$0.00 | \$0.00 | \$0.00 | |
| | The Landing | | | | | |
| TOTAL LEGAL/CONSULTANT FEES | | | ######### | \$13,577.85 | \$118,022.85 | |

Statement of Disbursements Being Claimed **Net Cost HST** Total \$0.00 **Photocopies** \$0.00 Printing \$0.00 \$0.00 Fax \$0.00 \$0.00 Courier \$51.95 \$6.75 \$58.70 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:** \$51.95 \$6.75 \$58.70

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

| File # EB- | 2012-0064 | Process: | THESL 2012-2014 IRM Rates |
|------------|--------------------------------|----------|---|
| Party: | вома | Name: | Marion Fraser |
| | | | Completed Years Practising/Years of relevant experience |
| Counse | l/Articling Student/Paralegal: | | |
| | Consultant: | V | 34 |
| | CV attached: | ☐ CV i | not required: |

Statement of Fees Being Claimed Hourly Subtotal **HST** Total **Hours** rate \$2,970.00 Preparation 9.00 \$330.00 \$2,970.00 \$0.00 Attendance - Technical Conference \$0.00 \$0.00 \$0.00 Attendance - Settlement Conference \$0.00 \$0.00 \$0.00 \$2,310.00 Attendance - Oral Hearing 7.00 \$330.00 \$2,310.00 \$0.00 Argument \$330.00 \$990.00 \$990.00 3.00 \$0.00 Case Management \$170.00 \$0.00 \$0.00 \$0.00 TOTAL LEGAL/CONSULTANT FEES \$6,270.00 \$6,270.00 \$0.00

| | 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 |

Prebill # 688942

Fraser & Company

F1588

124165

Session: 387506 Bill to: 30/May/13

CLIENT LAWYER: Brett, Thomas MATTER LAWYER: Brett, Thomas

LAWYER ON BILL:

Brett, Thomas

BOMA - Toronto Hydro-Electric System Limited, Electricity Distribution Rate Change; Board File No. EB-2012-0064

LAST BILL DATE:

NONE

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS Fraser & Company

502-33 Harbour Square

Toronto, ON M5J 2G2 Canada

Attn: Marion Fraser

Page 1

ACCOUNT APPROVAL

Thomas Brett

PAYOR: F1588 MAIN

BILL: F1588 MAIN

[] FINAL BILL: MATTER WILL BE MADE INACTIVE

UNBILLED TIME

| LAST ENTRY | TIMEKEEPER | HOURS | AMOUNT | | FEE CREDIT ALLOCATION | CODE | INIT |
|------------|----------------------|--------|------------|---------------|-----------------------|------|------|
| 04/Apr/13 | Thomas Brett | 316.50 | 104,445.00 | | []AS DOOKETED | 415 | ТВ |
| | TOTAL UNBILLED FEES | 316.50 | 104,445.00 | [] WRITE OFF | | | |
| | PREMIUM (WRITE DOWN) | | | | | | |
| | TOTAL FEES THIS BILL | WWW. | | | | | |
| | - | 11000 | | | | | |

UNBILLED DISBURSEMENTS

| LAST ENTRY | CODE | DISB. TYPE | <u>GST</u> | AMOUNT | UNBILLED W/O | ANTICIPATED | TOTAL THIS BILL |
|------------|------|--------------------|---------------------|--------|---------------|-------------|-----------------|
| 28/Feb/13 | 7 | Courier & Delivery | Υ | 51.95 | | 1111 | |
| | | TOTAL UN | TOTAL UNBILLED DISB | | [] WRITE OFF | 1000 | |
| | | TOTAL A | DJUSTMENTS | | | **** | |
| | | TOTAL D | ISB THIS BILL | | | | 1, |

TRUST SUMMARY - A Trust was not opened on this Matter

Page 2

FOGLER, RUBINOFF **BILLING STATEMENT TO 30/May/13**

F1588 **124165** Fraser & Company

BOMA - Toronto Hydro-Electric System Limited, Electricity Distribution Rate Change; Board File No. EB-2012-0064 Prebill No.: 688942

Session ID: 387506

LAST BILL DATE: NONE LAST BILLED TO DATE: NONE

FILE LAWYER: Brett, Thomas ASSIGNED LAWYER: Brett, Thomas

CLIENT ADDRESS Fraser & Company 502-33 Harbour Square Toronto, ON M5J 2G2 CANADA

BILLING ADDRESS 502-33 Harbour Square Toronto, ON M5J 2G2

Fraser, Marion

DETAIL OF UNBILLED TIME

| DATE | TIME ID 2092571 | TIMEKE 415 | EPER TB | <u>HOURS</u> 1.00 | <u>RATE</u> 330.00 | <u>AMOUNT</u> 330.00 | DESCRIPTION Reviewing Issues List and submissions |
|------------------------|-----------------|---------------|------------|----------------------|--------------------|-------------------------|--|
| 13/Aug/12 26/Oct/12 | 2129650 | 415 | ТВ | 3.00 | 330.00 | 990.00 | Reviewing evidence |
| 27/Oct/12 | 2129653 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Reviewing evidence |
| 28/Oct/12 | 2129655 | 415 | ТВ | 3.00 | 330.00 | 990.00 | Reviewing evidence |
| 29/Oct/12 | 2129656 | 415 | ТВ | 3.00 | 330.00 | 990.00 | Reviewing evidence |
| 30/Oct/12 | 2130353 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Reviewing evidence |
| 31/Oct/12 | 2131709 | 415 | ТВ | 3.00 | 330.00 | 990.00 | Reviewing evidence |
| 31/Oct/12 | 2131703 | 415 | ТВ | 1.50 | 330.00 | 495.00 | Meeting with other intervenors to discuss strategy |
| 01/Nov/12 | 2131711 | 415 | ТВ | 3.00 | 330.00 | 990.00 | Reviewing letter of October 31st and updated evidence |
| 01/Nov/12 02/Nov/12 | 2132674 | 415 | ТВ | 2.50 | 330.00 | 825.00 | Reviewing evidence |
| 02/Nov/12 04/Nov/12 | 2133391 | 415 | TB | 2.00 | 330.00 | 660.00 | Reviewing evidence |
| 04/Nov/12 | 2133531 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Reviewing evidence |
| 00/Nov/12 07/Nov/12 | 2134812 | 415 | TB | 3.00 | 330.00 | 990.00 | Reviewing evidence |
| | | | ТВ | 1.00 | 330.00 | 330.00 | |
| 08/Nov/12 | 2136535 | 415 | | | | 429.00 | Reviewing evidence |
| 11/Nov/12 | 2136539 | 415 | TB | 1.30 | 330.00 | | Reviewing evidence |
| 12/Nov/12 | 2137805 | 415 | TB | 3.30 | 330.00 | 1,089.00 | Reviewing evidence |
| 13/Nov/12 | 2137808 | 415 | TB | 2.60 | 330.00 | 858.00 | Reviewing evidence |
| 15/Nov/12 | 2141851 | 415 | TB | 2.00 | 330.00 | 660.00 | Reviewing evidence |
| 21/Nov/12 | 2141855 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation for Technical Conference |
| 21/Nov/12 | 2141856 | 415 | TB | 7.50 | 330.00 | 2,475.00 | Attending Technical Conference |
| 23/Nov/12 | 2144465 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation for Technical Conference |
| 23/Nov/12 | 2144469 | 415 | TB | 7.50 | 330.00 | 2,475.00 | Attending Technical Conference |
| 26/Nov/12 | 2144510 | 415 | TB | 6.00 | 330.00 | 1,980.00 | Preparation for Settlement Conference; Reviewing evidence |
| 27/Nov/12 | 2150178 | 415 | TB | 3.40 | 330.00 | 1,122.00 | Preparation for Settlement Conference |
| 28/Nov/12 | 2150194 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation for Settlement Conference |
| 28/Nov/12 | 2150195 | 415 | ТВ | 7.50 | 330.00 | 2,475.00 | Attending Settlement Conference |
| 29/Nov/12 | 2150196 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation for Settlement Conference |
| 29/Nov/12 | 2150197 | 415 | TB | 7.50 | 330.00 | 2,475.00 | Attending Settlement Conference |
| 30/Nov/12 | 2150199 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation for Settlement Conference |
| 30/Nov/12 | 2150200 | 415 | TB | 7.50 | 330.00 | 2,475.00 | Attending Settlement Conference |
| 02/Dec/12 | 2150204 | 415 | ТВ | 4.00 | 330.00 | 1,320.00 | Preparation for Hearing |
| 03/Dec/12 | 2150218 | 415 | TB | 3.00 | 330.00 | 990.00 | Reviewing offer from Enbridge; Discussion on counter-offer |
| 07/Dec/12 | 2153568 | 415 | ТВ | 7.00 | 330.00 | 2,310.00 | Preparation for Hearing |
| 09/Dec/12 | 2154017 | 415 | ТВ | 6.00 | 330.00 | 1,980.00 | Preparation of cross-examination for Hearing |
| 10/Dec/12 | 2154021 | 415 | TB | 1.50 | 330.00 | 495.00 | Preparation for Hearing |
| 10/Dec/12 | 2154023 | 415 | TB | 8.00 | 330.00 | 2,640.00 | Attending Hearing |
| 11/Dec/12 | 2154027 | 415 | TB | 1.00 | 330.00 | 330.00 | Preparation for Hearing |
| 11/Dec/12 | 2154029 | 415 | ТВ | 8.00 | 330.00 | 2,640.00 | Attending Hearing |
| 12/Dec/12 | 2157738 | 415 | TB | 5.00 | 330.00 | 1,650.00 | Preparation for Hearing |
| 12/Dec/12 | 2157740 | 415 | ТВ | 3.50 | 330.00 | 1,155.00 | Attending Hearing |

FOGLER, RUBINOFF BILLING STATEMENT TO 30/May/13

F1588 124165

Fraser & Company
BOMA - Toronto Hydro-Electric System
Limited, Electricity Distribution Rate
Change; Board File No. EB-2012-0064
Prebill No.: 688942
Session ID: 387506

LAST BILL DATE: NONE LAST BILLED TO DATE: NONE

FILE LAWYER: Brett, Thomas ASSIGNED LAWYER: Brett, Thomas CLIENT ADDRESS Fraser & Company 502-33 Harbour Square Toronto, ON M5J 2G2 CANADA

BILLING ADDRESS 502-33 Harbour Square Toronto, ON M5J 2G2

Fraser, Marion

| <u>DATE</u> 13/Dec/12 | TIME ID 2157744 | TIMEKEEP | PER TB | HOURS 1.50 | <u>RATE</u> 330.00 | AMOUNT 495.00 | DESCRIPTION Preparation for Hearing |
|--------------------------|-----------------|----------|-----------|---------------|--------------------|------------------|---|
| 13/Dec/12 | 2157745 | 415 | TB | 8.00 | 330.00 | 2,640.00 | Attending Hearing |
| 14/Dec/12 | 2157747 | 415 | ТВ | 1.50 | 330.00 | 495.00 | Preparation for Hearing |
| 14/Dec/12 | 2157751 | 415 | ТВ | 8.00 | 330.00 | 2,640.00 | Attending Hearing |
| 17/Dec/12 | 2158416 | 415 | ТВ | 5.00 | 330.00 | 1,650.00 | Preparation of Argument |
| 18/Dec/12 | 2158418 | 415 | ТВ | 4.00 | 330.00 | 1,320.00 | Preparation of Argument |
| 20/Dec/12 | 2163708 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 21/Dec/12 | 2163710 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 22/Dec/12 | 2163712 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 23/Dec/12 | 2163714 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 24/Dec/12 | 2163716 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 27/Dec/12 | 2163718 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 28/Dec/12 | 2163719 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 29/Dec/12 | 2163720 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 30/Dec/12 | 2163721 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 31/Dec/12 | 2163722 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 01/Jan/13 | 2163723 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 02/Jan/13 | 2163129 | 415 | TB | 5.00 | 330.00 | 1,650.00 | Preparation of submission |
| 03/Jan/13 | 2163130 | 415 | TB | 6.00 | 330.00 | 1,980.00 | Preparation of submission |
| 04/Jan/13 | 2163132 | 415 | TB | 6.30 | 330.00 | 2,079.00 | Reviewing materials; Developing approach to Hearing |
| 08/Jan/13 | 2163135 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 09/Jan/13 | 2163138 | 415 | ТВ | 7.00 | 330.00 | 2,310.00 | Preparation of Argument |
| 10/Jan/13 | 2163707 | 415 | ТВ | 6.00 | 330.00 | 1,980.00 | Preparation of Argument |
| 13/Jan/13 | 2165947 | 415 | TB | 7.00 | 330.00 | 2,310.00 | Preparation of Argument |
| 14/Jan/13 | 2165948 | 415 | TB | 9.50 | 330.00 | 3,135.00 | Preparation of Argument |
| 15/Jan/13 | 2165958 | 415 | TB | 9.50 | 330.00 | 3,135.00 | Preparation of Argument |
| 04/Feb/13 | 2176922 | 415 | TB | 1.00 | 330.00 | 330.00 | Reviewing Bremner material |
| 05/Feb/13 | 2177522 | 415 | ТВ | 1.00 | 330.00 | 330.00 | Preparation for Oral Hearing on Bremner |
| 12/Feb/13 | 2181560 | 415 | ТВ | 3.00 | 330.00 | 990.00 | Preparation for Hearing on Bremner; Reviewing evidence of Hydro and NRD |
| 13/Feb/13 | 2181562 | 415 | ТВ | 6.00 | 330.00 | 1,980.00 | Preparation of cross-examination; Reviewing evidence; Preparation for Hearing |
| 14/Feb/13 | 2183562 | 415 | TB | 0.50 | 330.00 | 165.00 | Preparation for Bremner Hearing |
| 15/Feb/13 | 2186638 | 415 | TB | 3.40 | 330.00 | 1,122.00 | Preparation of material for Bremner proceeding |
| 15/Feb/13 | 2186641 | 415 | TB | 2.00 | 330.00 | 660.00 | Meeting with Marion Fraser to discuss cross-examinations |
| 16/Feb/13 | 2186650 | 415 | TB | 4.00 | 330.00 | 1,320.00 | Preparation of cross-examinations |
| 19/Feb/13 | 2186672 | 415 | TB | 2.00 | 330.00 | 660.00 | Preparation for Hearing |
| 19/Feb/13 | 2186674 | 415 | ТВ | 6.00 | 330.00 | 1,980.00 | Attending Hearing |
| 22/Feb/13 | 2186685 | 415 | ТВ | 2.00 | 330.00 | 660.00 | Preparation of Argument |
| 25/Feb/13 | 2187683 | 415 | ТВ | 6.40 | 330.00 | 2,112.00 | Preparation of Argument |
| 26/Feb/13 | 2188453 | 415 | TB | 5.60 | 330.00 | 1,848.00 | Preparation of Argument |
| 27/Feb/13 | 2189487 | 415 | ТВ | 6.70 | 330.00 | 2,211.00 | Preparation of Argument |
| 28/Feb/13 | 2191386 | 415 | ТВ | 7.00 | 330.00 | 2,310.00 | Preparation of Argument |

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FOGLER, RUBINOFF **BILLING STATEMENT TO 30/May/13**

F1588 **124165**

Fraser & Company

BOMA - Toronto Hydro-Electric System Limited, Electricity Distribution Rate Change; Board File No. EB-2012-0064 Prebill No. 688942

Session ID: 387506

LAST BILL DATE: NONE LAST BILLED TO DATE: NONE

FILE LAWYER: Brett, Thomas ASSIGNED LAWYER: Brett, Thomas CLIENT ADDRESS Fraser & Company 502-33 Harbour Square Toronto, ON M5J 2G2

CANADA

BILLING ADDRESS 502-33 Harbour Square Toronto, ON M5J 2G2

Fraser, Marion

| <u>DATE</u> 01/Mar/13 | TIME ID 2191388 | TIMEKI 415 | EEPER TB | HOURS 2.00 | <u>RATE</u> 330.00 | AMOUNT 660.00 | DESCRIPTION Preparation for Hearing |
|--------------------------|-----------------|---------------|-------------|---------------|-----------------------|---------------|-------------------------------------|
| 01/Mar/13 | 2191389 | 415 | ТВ | 3.00 | 330.00 | 990.00 | Attending Hearing |
| 04/Apr/13 | 2210201 | 415 | ТВ | 1.50 | 330.00 | 495.00 | Reviewing decision on Phase I |
| | | | TOTAL TIME | 316.50 | | 104,445.00 | |

DETAIL OF UNBILLED DISBURSEMENTS

| <u>DATE</u> 05/Jul/12 | <u>DISB ID</u> 4696795 | CODE 7 | Courier & Delivery | QUAN | AMOUNT 9.99 | DESCRIPTION 12:45 TB Courier: Blizzard# 6101101 ontario energu board 2300 Yonge St Fatima/Fatima |
|--------------------------|---------------------------|-----------|--------------------|------|----------------|--|
| 13/Dec/12 | 4914957 | 7 | Courier & Delivery | | 9.99 | 09:36 TB Courier: Blizzard# 6159297 ontario energy board 2300 Yonge St n meadows |
| 14/Dec/12 | 4914990 | 7 | Courier & Delivery | | 19.98 | 10:00 TB Courier: Blizzard# 6160022 ontario energy board 2300 Yonge St Fatima |
| 28/Feb/13 | 4998259 | 7 | Courier & Delivery | | 11.99 | 16:42 TB Courier: Blizzard# 6186000 ONTARIO ENERGY BOARD 2300 Yonge St |
| | | | TOTAL DISB | | 51.95 | |

Filter Disb ID

4696795

Disbursement Details

Client F1588 Fraser _Company

Matter 124165 BOMA - Toronto Hydro-Electric System Lim

Entry Empl AP Parusis, Tony

Auth Empl Disb Empl

יים טפוט בוווףו

Billed Empl

Disb Office FOGR Fogler, Rubinoff LLP
Office FOGR Fogler, Rubinoff LLP

Dept LITN Litigation

Profit Center GEN General Profit Centre

Project

Std Amt \$9.07 Currency Code CDN

Base Amt \$9.07 Base Qty 0.000000

Tobill Amt \$9.99

Billed Amt \$9.99 Bill Qty 0.000000

Narrative

12:45 TB Courier: Blizzard# 6101101 ontario energu board 2300 Yonge St Fatima/Fatima

Filter

Disb ID

4914957

Disbursement Details

Client F1588

Fraser _Company

Matter 124165

BOMA - Toronto Hydro-Electric System Lim

Entry Empl AP

Parusis, Tony

Auth Empl

Disb Empl

Billed Empl

Disb Office FOGR

Fogler, Rubinoff LLP

Office FOGR

Fogler, Rubinoff LLP

Dept LITN

Litigation

Profit Center GEN

General Profit Centre

Project

Std Amt

\$9.07 Curr

Currency Code CDN

Base Amt

\$9.07

Base Qty 0.000000

Tobill Amt

\$9.99

Billed Amt

\$9.99

Bill Qty

0.000000

Narrative

09:36 TB Courier: Blizzard# 6159297 ontario energy board 2300 Yonge St n meadows

Filter

Disb ID

4914990

Disbursement Details

Client F1588

Fraser _Company

Matter 124165

BOMA - Toronto Hydro-Electric System Lim

Entry Empl AP

Parusis, Tony

Auth Empl

Disb Empl

Billed Empl

Disb Office FOGR

Fogler, Rubinoff LLP

Office FOGR

Fogler, Rubinoff LLP

Dept LITN

Litigation

Profit Center GEN

General Profit Centre

Project

Std Amt

\$18.15 Currency Code CDN

Base Amt

\$18.15

0.000000

Tobill Amt

\$19.98

Billed Amt \$19.98

Bill Qty

Base Qty

0.000000

Narrative

10:00 TB Courier: Blizzard# 6160022 ontario energy board 2300 Yonge St Fatima

Filter Disb ID

4998259

Disbursement Details

Client F1588

Fraser _Company

Matter 124165

BOMA - Toronto Hydro-Electric System Lim

Entry Empl AP

Parusis, Tony

Auth Empl

Audi Linpi

Disb Empl Billed Empl

Disb Office FOGR

Fogler, Rubinoff LLP

Office FOGR

Fogler, Rubinoff LLP

Dept LITN

Litigation

Profit Center GEN

General Profit Centre

Project

Std Amt

\$10.89 Currency Code CDN

Base Amt

\$10.89

Base Qty 0.000000

Tobill Amt

\$11.99

Billed Amt

\$11.99 Bill Qty

0.000000

Narrative

16:42 TB Courier: Blizzard# 6186000 ONTARIO ENERGY BOARD 2300 Yonge St

DOCKET

| | EB-2012-0064 | | | BOMA | | | | | | | |
|-------------------|--------------|-------------|---------------|---------------|---------------|----------|-------|----|--|--|--|
| Board File Number | | Party Name | | | | | | | | | |
| | | | Fraser & Comp | any | | | | | | | |
| 194 | Consultant | Preparation | Attendance TC | Attendance SC | Attendance OH | Argument | Total | | | | |
| EC | MEF | 9 | | | 7 | | 3 | 19 | | | |
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| Total | | 9 | 0 | | 7 | | 3 | 19 | | | |