

VINCENT J. DEROSE
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By email

July 10, 2013

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street
27th floor
Toronto, ON M4P 1E4

Dear Ms Walli,

Enbridge Gas Distribution Inc. ("EGD")

2012-2014 DSM Plan

Board File No.: EB-2012-0394

Our File No.: 339583-000126

Pursuant to the Board's Decision and Order on Settlement Agreement dated July 4, 2013, we enclose a Cost Claim on behalf of our client, Canadian Manufacturers & Exporters ("CME").

We have attempted to limit the disbursements for travel and for meals to the amounts specified in the Board's Guidelines.

A copy of this Cost Claim has been forwarded to EGD as instructed in the Decision.

Please contact me if you have any questions or require any additional information.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Vincent J. DeRose", with a long, sweeping horizontal line extending to the right.

Vincent J. DeRose

\slc
enclosure

c. Norm Ryckman (EGD)
Dennis O'Leary (Aird & Berlis)
Paul Clipsham (CME)

OTT01: 5782154: v1

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.

Enbridge Gas Distribution Inc. - Update to the DSM Multi-Year

File # EB- 2012-0394

Process: Plan for the Years 2013-2014

Party: Canadian Manufacturers & Exporters

Affiant's Name: Vincent J. DeRose

HST Number: 10807 5482 RT0001

HST Rate Ontario: 13.00%

Full Registrant ☐
Unregistered ☐
Other ☒

Qualifying Non-Profit ☐
Tax Exempt ☐


Affidavit

I, Vincent J. DeRose, 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 of Affiant

Sworn or affirmed before me at the City/Town of Ottawa
in the Province/State of Ontario, on July 10, 2013,
(date)


Commissioner for taking Affidavits

**Andrea Rose Raymond, a Commissioner, etc.,
Province of Ontario, for Borden Ladner
Gervais LLP, Barristers and Solicitors.
Expires May 17, 2016.**

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # **EB- 2012-0394** Enbridge Gas Distribution Inc. - Update to the DSM Multi-Year
Process: **Plan for the Years 2013-2014**

Party: **Canadian Manufacturers & Exporters**

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$9,360.00
Disbursements	\$716.51
HST	\$1,309.35
Total Cost Claim	\$11,385.86

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2012-0394		Enbridge Gas Distribution Inc. - Update to the DSM Multi- Process: Year Plan for the Years 2013-2014	
Party: Canadian Manufacturers & Exporters		Name: Peter C.P. Thompson, Q.C.	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>		Completed Years Practising/Years of relevant experience <hr style="width: 100px; margin: 0;"/>	
Consultant: <input type="checkbox"/>		<hr style="width: 100px; margin: 0;"/> 45 <hr style="width: 100px; margin: 0;"/>	
CV attached: <input type="checkbox"/>		CV not required: <input checked="" type="checkbox"/>	

Statement of Fees Being Claimed					
	Hours	Hourly rate	Subtotal	HST	Total
Preparation	1.30	\$330.00	\$429.00	\$55.77	\$484.77
Argument	0.30	\$330.00	\$99.00	\$12.87	\$111.87
			\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$528.00	\$68.64	\$596.64

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees being Claimed



File #: EB-2012-0394
Process: Enbridge Gas Distribution Inc.
– Update to the DSM Multi-Year Plan for the Years 2013-2014
Party: Canadian Manufacturers & Exporters
Name: Peter Thompson

Apr 10/13	Considering correspondence and subsequent conference with V. DeRose re: severance issue	0.2	Prep
Apr 15/13	Reviewing Board's Procedural Order No.1; reviewing email exchange re: possible amendment to Settlement Agreement; telephone discussion with V. DeRose	0.8	Prep
Apr 16/13	Conference call with V. DeRose re: CME submissions pertaining to process	0.2	Prep
May 8/13	Drafting and finalizing report to P. Clipsham	0.1	Prep
Jun 4/13	Reviewing Submissions of Environmental Defence; email to P. Clipsham and V. DeRose	0.3	Argument

TOTAL HOURS for Peter Thompson: 1.6

	<u>Hours</u>		
Prep	1.3	x \$330.00/hr =	429.00
Argument	0.3	x \$330.00/hr =	99.00
	<u>1.6</u>	TOTAL FEES for Peter Thompson:	<u>\$ 528.00</u>

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2012-0394		Enbridge Gas Distribution Inc. - Update to the DSM Multi- Process: Year Plan for the Years 2013-2014	
Party: Canadian Manufacturers & Exporters		Name: Vincent J. DeRose	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>		Completed Years Practising/Years of relevant experience <hr style="width: 100%; border: 0; border-top: 1px solid black;"/> 11 <hr style="width: 100%; border: 0; border-top: 1px solid black;"/>	
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	20.00	\$290.00	\$5,800.00	\$754.00	\$6,554.00
Attendance - Oral Hearing	7.20	\$290.00	\$2,088.00	\$271.44	\$2,359.44
Argument	2.20	\$290.00	\$638.00	\$82.94	\$720.94
			\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$8,526.00	\$1,108.38	\$9,634.38

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Photocopies: 123 copies @ \$0.25 each	\$30.75	\$4.00	\$34.75
Travel: Air	\$608.24	\$79.08	\$687.32
Parking	\$16.81	\$2.19	\$19.00
Taxis	\$60.71	\$7.29	\$68.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$716.51	\$92.55	\$809.06

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees being Claimed



File #: **EB-2012-0394**
Process: **Enbridge Gas Distribution Inc.**
Party: **– Update to the DSM Multi-Year Plan for the Years 2013-2014**
Name: **Canadian Manufacturers & Exporters**
Vince DeRose

Jan 30/13	Reviewing documents from J. Ramsay of EGD	1.1	Prep
Mar 21/13	Reviewing evidence	2.8	Prep
Apr 2/13	Reviewing Application	3.3	Prep
Apr 3/13	Drafting letter of intervention	0.4	Prep
Apr 16/13	Reviewing submissions of other parties; telephone call to intervenors; drafting letter to the Board	2.6	Prep
Apr 17/13	Reviewing correspondence from intervenors	0.6	Prep
Apr 25/13	Telephone call from intervenors re: process submissions	0.6	Prep
Apr 26/13	Reviewing submissions by Environmental Defence and EGD; telephone call to client; drafting submissions	2.2	Prep
Apr 28/13	Reviewing motion, correspondence and prepare for proceeding	2.4	Prep
Apr 29/13	Preparation for and attendance at EGD DSM proceeding	7.2	Attend OH
May 2/13	Reviewing corrected Exhibit K1.1	0.8	Prep
May 3/13	Reviewing Revised Application	0.8	Prep
May 7/13	Reviewing Procedural Order No. 3	0.2	Prep
May 11/13	Reviewing ED's Interrogatories	1.2	Prep
May 19/13	Reviewing Interrogatory Responses to ED Interrogatories	0.6	Prep
May 26/13	Reviewing EGD Argument-in-Chief	1.1	Argument
Jun 4/13	Reviewing ED's submissions	1.1	Argument
Jun 12/13	Reviewing correspondence from ED and SEC	0.4	Prep

TOTAL HOURS for Vince DeRose: 29.4

	<u>Hours</u>		
Prep	20.0	x \$290.00/hr =	5,800.00
Attend OH	7.2	x \$290.00/hr =	2,088.00
Argument	2.2	x \$290.00/hr =	638.00
	29.4	TOTAL FEES for Vince DeRose:	\$8,526.00

Prebill # 4713141

Time Thru: Mar 31, 2013
Disbursements Thru: Mar 31, 2013
Prebill Requested by: Ho, Bevan
Prebill Requested on: Apr 2, 2013
Prebill Printed by: Castanza, Suzanne
Matter Language: EN


339583 Canadian Manufacturers & Exporters
000126 Enbridge Gas 2012-2014 DSM Plan

Matter Resp. Lawyer: 28261 P.C. Thompson
Matter Billing Lawyer: 28261 P.C. Thompson
Client Resp. Lawyer: 28261 P.C. Thompson

①

TIME SUMMARY

<u>Timekeeper</u>	<u>Location</u>	<u>Last Time Worked Date</u>	<u>Hours</u>	<u>Avg. Rate</u>	<u>Amount</u>
V. J. DeRose	OTT	Mar 21, 2013	3.90	290.00	1,131.00
TOTALS:			3.90		\$1,131.00

Fee Amount:	\$		Check if this is a final bill:	<input type="checkbox"/>
Fee Write Up/Down:	\$		Reason for Write-off:	
Disb Write Up/Down:	\$		Reason for Write-off:	
Lawyer Signature:	 Group Head Signature: _____			

DISBURSEMENT SUMMARY

<u>Disb Code</u>	<u>Description</u>	<u>Amount</u>
TOTALS:		\$0.00

Prebill # 4821012

Time Thru: Jul 5, 2013
 Disbursements Thru: Jul 5, 2013
 Prebill Requested by: Ho, Bevan
 Prebill Requested on: Jul 3, 2013
 Prebill Printed by: Castanza, Suzanne
 Matter Language: EN

339583 Canadian Manufacturers & Exporters

000126 Enbridge Gas 2012-2014 DSM Plan

Matter Resp. Lawyer: 28261 P.C. Thompson
 Matter Billing Lawyer: 28261 P.C. Thompson
 Client Resp. Lawyer: 28261 P.C. Thompson


TIME SUMMARY

<u>Timekeeper</u>	<u>Location</u>	<u>Last Time Worked Date</u>	<u>Hours</u>	<u>Avg. Rate</u>	<u>Amount</u>
V. J. DeRose	OTT	Jun 12, 2013	25.50	290.00	7,395.00
K. Dullet	OTT	May 29, 2013	1.80	170.00	306.00
P. C. Thompson	OTT	Jun 4, 2013	1.60	330.00	528.00
TOTALS:			28.90		\$8,229.00

Fee Amount:	\$ _____	Check if this is a final bill: <input type="checkbox"/>
Fee Write Up/Down:	\$ _____	Reason for Write-off: _____
Disb Write Up/Down:	\$ _____	Reason for Write-off: _____
Lawyer Signature: _____	Group Head Signature: _____	

DISBURSEMENT SUMMARY

<u>Disb Code</u>	<u>Description</u>	<u>Amount</u>
309	Travel Expenses (Taxable)	685.77
380	Laser Printing	30.75
TOTALS:		\$716.52

Borden Ladner Gervais
BILLABLE EXPENSE REPORT

NAME: Vince DeRose DATE: 02-May-13

BILLABLE INFORMATION:

Client File No./Name: 339583-000126 (CME re: EGD 2012-2014 DSM Plan)
Issues/Process Day - April 29, 2013

EXPENSES	Canadian Expense			Expenses Outside Canada
	Total Expense	Pre Tax	HST	
Transportation(Air,Bus,Train)	\$ 687.32	608.24	79.08	\$ -
Total Kilometers	\$ -			
Rate \$ 0.45				
Car Rental				
Taxis	\$ 68.00	60.71	7.29	
Hotel / Lodging				
Food and Drink				
Parking	\$ 19.00	16.81	2.19	
Long Distance				
Miscellaneous (specify)				
TOTALS:	\$ 774.32	685.76	88.56	\$ -
Total Expenses				\$ 774.32
Less: Travel Advance				
Reimbursement Total (CDN)				\$ 774.32

1. Expenses are to be remitted within one week of being incurred
2. Original receipts are required for all items
3. Non-billable expenses must be approved by Group Leader

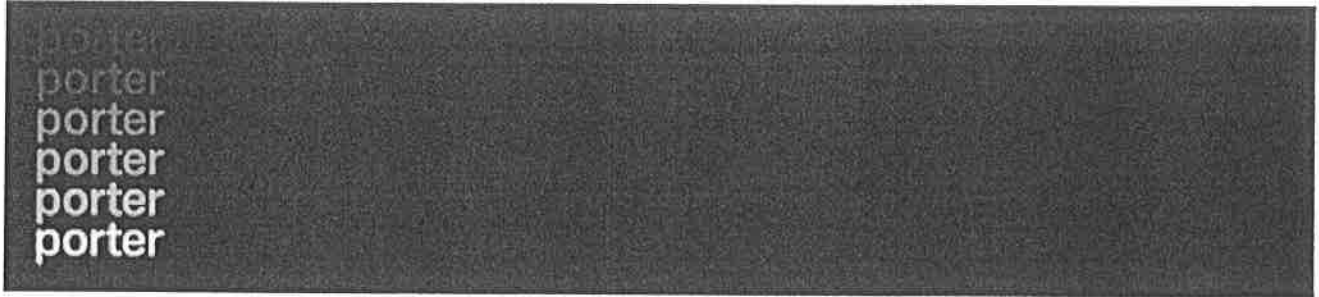
PROFESSIONAL/GROUP LEADER APPROVAL:

Signature 

(check here if by e-mail approval attached) ☐

DeRose, Vincent J.

From: PorterAirlines@flyporter.com
Sent: April-28-13 2:52 PM
To: DeRose, Vincent J.
Subject: Itinerary - Please do not reply to this email



Passenger Itinerary

Thank you very much for your business. We have confirmed your reservation in our system. You will not receive a paper ticket. Please review flight information for accuracy and make note of ID requirements and recommended check-in times. You may print this itinerary for your reference.

MR. VINCENT J DEROSE
15 BEAUMARIS
OTTAWA, ON K2H 7K1
CANADA

Confirmation Number: **C2YRQI** **Agent Name:** 3700003625
Booking Date: 28 Apr 2013 **Booked By:**

Passenger Information:

Name	VIPorter Number	Flight #/Seat #
Mr. Vincent J DEROSE	3700003625	244/NA 269/NA

Flight Information:

Date	Flight	Depart	Arrive	Stops
29 Apr 2013	244	Ottawa (YOW) 07:15	Toronto (YTZ) 08:15	
29 Apr 2013	269	Toronto (YTZ) 17:55	Ottawa (YOW) 18:51	

Fare Summary (CAD):

Base Fare:	\$530.00
Air Traveller Security Charge:	\$14.24
NAV and Surcharges:	\$24.00
Airport Improvement Fee:	\$40.00
Harmonized Sales Tax:	\$79.08 <i>HST</i>
Total Fare Price:	\$687.32
Visa:	\$687.32
Balance Due:	\$0.00

GST/HST Number: 841583271

QST Number: 1212573775

Baggage Policy:

TWO items of carry-on baggage are permitted per fare-paying passenger.

- Carry-on baggage is limited to two pieces:
 - 1 standard article not exceeding 55 cm x 40 cm x 23 cm (21.5" x 15.5" x 9") and weighing less than 9 kg (20 lbs)
 - 1 personal article not exceeding 43 cm x 33 cm x 16 cm (17" x 13" x 6") and weighing less than 9 kg (20 lbs)
- Items that are not permitted in carry-on baggage aboard the aircraft are those that present a potential hazard. They include, but are not limited to, weapons, tools, restraining devices, toy weapons, cutting and puncturing devices (knives, box cutters, scissors, straight razors) ice skates and other hazardous items as defined and regulated by law including explosives, poisons, and other toxic materials.
- All carry-on baggage must fit in the sizing units located both at check-in and the gate areas.
- On board the aircraft, all carry-on baggage must be stowed under the seat or in the overhead compartments.
- The following items are not counted as carry-on: coats, cameras, receptacles containing human remains, containers carrying life sustaining items, strollers, child restraint systems, crutches, canes, walkers and other such items.
- Porter may require that an item of carry-on baggage travel as checked luggage if the bag cannot be safely stowed in the cabin.

ONE item of checked baggage is permitted, free of charge, per fare-paying passenger.

- One piece of checked baggage is accepted free of charge for each fare paying passenger.
- The total combined weight of all checked baggage is limited to 23 kg (50 lbs).
- The weight of the baggage is combinable for passengers booked under the same reservation file.
- A second piece of checked baggage is permitted for a charge of \$20 CAD/USD per direction.
- There is a \$50 CAD/USD charge per additional bag, over and above 2 pieces of baggage.
- Any combined weight above 23 kg (50 lbs) will be charged at a rate of \$5 CAD/USD per kg.
- No single piece can weigh more than 32 kilos (70 lbs).
- The maximum size allowed is 158 cm (62 in) total dimension (the sum of the length, width and height).
- The only exceptions to the additional baggage fees are skis and snowboards.

Aéroport d'Ottawa Airport

Exit 2 29/04/13 18:01
Receipt 076854

Ticket/Billet
P1 - No. 042963
29/04/13 06:18 -
29/04/13 18:01 -
Period 0d11h44'
(CAN)

\$19.00

Total \$19.00

Payment Received
VISA \$19.00
XXXXXXXXXXXX 01/17
Merch: 82008580037
Auth: 402846
Type: Swiped

Sub Total \$16.81
HST 13% 2.19

HST#TVH 898569942RT.CAD
Good day Au revoir

RECEIPT:

DATE: 04/29/13

CAB NO: AMOUNT \$: 33.00

DRIVER'S NAME

FROM: Airport

TO: Young & Co - St

NOTE: AMOUNT SHOWN ABOVE INCLUDE TAXES



www.diamondtaxi.ca

416-366-6868

DATE: April 29 AMT. \$ 35

FROM: Young & Co - St

TO: Airport

DRIVER'S NAME HST#

CAB# FARE INCLUDES HST

The Driver is an Independent Contractor, any HST input credit may be claimed as "notional" or applied to the driver's HST registered number, not Diamond Taxi Ltd.

Thank You

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2012-0394		Enbridge Gas Distribution Inc. - Update to the DSM Multi- Process: Year Plan for the Years 2013-2014	
Party: Canadian Manufacturers & Exporters		Name: Kim Dullet	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>		Completed Years Practising/Years of relevant experience <hr style="width: 100px; margin: 0 auto;"/> 4 <hr style="width: 100px; margin: 0 auto;"/>	
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	1.60	\$170.00	\$272.00	\$35.36	\$307.36
Argument	0.20	\$170.00	\$34.00	\$4.42	\$38.42
			\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$306.00	\$39.78	\$345.78

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees being Claimed



File #: EB-2012-0394
Process: Enbridge Gas Distribution Inc.
– Update to the DSM Multi-Year Plan for the Years 2013-2014
Party: Canadian Manufacturers & Exporters
Name: Kim Dullet

Apr 12/13	Correspondence from P. Thompson re: severance issue	0.1	Prep
Apr 15/13	Review of correspondence from D. Poch, J. Shepherd and I. Mondrow re: GTA reinforcement projects and DSM Settlement Agreement	0.4	Prep
Apr 17/13	Review of CME comments re: severance of 2013 and 2014 DSM Plans	0.5	Prep
Apr 17/13	Review of correspondence from D. Poch and K. Elson re: positions	0.1	Prep
Apr 26/13	Review of CME comments on issues proposed by ED	0.2	Prep
May 6/13	Review of Procedural Order No. 3	0.3	Prep
May 29/13	Review of CME submissions re: support of EGD Argument-in-Chief	0.2	Argument

TOTAL HOURS for Kim Dullet: 1.8

	<u>Hours</u>		
Prep	1.6	x \$170.00/hr =	272.00
Argument	0.2	x \$170.00/hr =	34.00
	<u>1.8</u>	TOTAL FEES for Kim Dullet:	<u>\$ 306.00</u>