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July 12, 2013

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 132473

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

Attention: Kirsten Walli,
Board Secretary

Dear Ms. Walli:

Re: EB-2012-0394

Please find enclosed herewith two (2) copies of the cost claim with respect to the above captioned proceeding on behalf of Building Owners and Managers Association, Greater Toronto (BOMA).

I apologize for being one day late.

Yours sincerely,

FOGLER, RUBINOFF LLP

A handwritten signature in blue ink that reads "Tom Brett per i.d.".

Thomas Brett
TB/dd
Encls.

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- 2012-0394

Process: EGDI 2012-2014 DSM

Party: BOMA

Affiant's Name: Tom Brett

HST Number: R119420859

HST Rate Ontario: 13.00%

Full Registrant ☒
Unregistered ☐
Other ☐

Qualifying Non-Profit ☐
Tax Exempt ☐

Affidavit

I, Tom Brett, of the City/Town of Toronto
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 Toronto,
in the Province/State of Ontario, on Jul 12/13,
(date)


Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS
Affidavit and Summary of Fees and Disbursements



File # EB- 2012-0394

Process: EGDI 2012-2014 DSM

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$4,257.00
Disbursements	\$0.00
HST	\$553.41
Total Cost Claim	\$4,810.41

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0394</u>	Process: <u>EGDI 2012-2014 DSM</u>
Party: <u>BOMA</u>	Name: <u>Tom Brett</u>
Completed Years Practising/Years of relevant experience <u>35</u>	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	
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	5.90	\$330.00	\$1,947.00	\$253.11	\$2,200.11
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing	7.00	\$330.00	\$2,310.00	\$300.30	\$2,610.30
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES					
			\$4,257.00	\$553.41	\$4,810.41

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		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 # 696963 Session: 391391 Bill to: 12/Jul/13

F1588
Fraser & Company

CLIENT LAWYER: Brett, Thomas
MATTER_LAWYER: Brett, Thomas
LAWYER ON BILL: Brett, Thomas
LAST BILL DATE: NONE

132473
BOMA - Enbridge Gas
Distribution Inc., 2013-2014
Demand Side Management Plan;
Board File No. EB-2012-0394

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS
Fraser & Company
502-33 Harbour Square
Toronto, ON
M5J 2G2
Canada
Attn: Marion Fraser

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PAYOR: F1588 MAIN
BILL: F1588 MAIN

ACCOUNT APPROVAL

Thomas Brett

[] FINAL BILL: MATTER WILL BE MADE INACTIVE

UNBILLED TIME

<u>LAST ENTRY</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>	<u>FEE CREDIT ALLOCATION</u>	<u>CODE</u>	<u>INIT</u>
02/May/13	Thomas Brett	12.90	4,257.00	[] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		12.90	4,257.00	[] WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

TRUST SUMMARY – A Trust was not opened on this Matter

FOGLER, RUBINOFF
BILLING STATEMENT TO 12/Jul/13F1588 **132473**Fraser & Company
BOMA - Enbridge Gas Distribution Inc.,
2013-2014 Demand Side Management
Plan; Board File No. EB-2012-0394
Prebill No.: 696963
Session ID: 391391LAST BILL DATE: NONE
LAST BILLED TO DATE: NONEFILE LAWYER: Brett, Thomas
ASSIGNED LAWYER: Brett, ThomasCLIENT ADDRESS
Fraser & Company
502-33 Harbour Square
Toronto, ON M5J 2G2
CANADABILLING ADDRESS
502-33 Harbour Square
Toronto, ON
M5J 2G2

Fraser, Marion

DETAIL OF UNBILLED TIME

<u>DATE</u>	<u>TIME ID</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
18/Mar/13	2199740	415 TB	0.30	330.00	99.00	Preparation of intervention letter
02/Apr/13	2207680	415 TB	0.30	330.00	99.00	Reviewing letter
10/Apr/13	2212054	415 TB	0.80	330.00	264.00	Reviewing material; Preparing letter
25/Apr/13	2222824	415 TB	0.50	330.00	165.00	Reviewing Settlement Agreement; Procedural Order No. 2
28/Apr/13	2222829	415 TB	1.50	330.00	495.00	Preparation for Hearing
29/Apr/13	2222830	415 TB	1.50	330.00	495.00	Preparation for Hearing
29/Apr/13	2222831	415 TB	7.00	330.00	2,310.00	Attending Hearing
02/May/13	2224330	415 TB	1.00	330.00	330.00	Reviewing evidence, Phase II
TOTAL TIME			12.90		4,257.00	