



# WEILER, MALONEY, NELSON

*Celebrating Over 65 Years of Service*

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**G. Bernard Weiler Q.C., LSM,**  
**K.C.S.G. (1910-1996)**

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**Ross B. Judge (Counsel)**  
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**Certified Specialist (Labour Law)**

**B. Paul Jasiura**

**John A. Cyr**  
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**Deborah A. Humphreys**

**Bradley A. Smith**

**Nick Melchiorre**

**Flara Pottinger**

**Jennifer M. Lohuis**

**Sarah B. Manilla**

**AnnMarie Stilla**

**Mark P. Mikulasik**

July 18, 2013

File #57695

**VIA MAIL AND EMAIL** BoardSec@ontarioenergyboard.ca

Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto ON M4P 1E4

**Attention:** Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli

**Re: Policy Review of Micro-Embedded Generation Connection  
Issues – EB-2012-0246**

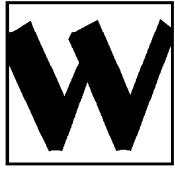
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We are solicitors representing the Northwestern Ontario Associated Chamber of Commerce (NOACC), The Corporation of the City of Thunder Bay (the "City"), the Northwestern Ontario Municipal Association ("NOMA"), and Common Voice Northwest (CVNW) (hereinafter referred to as the "NOACC Coalition"), in the above noted consultation initiative. Pursuant to the Board's Notice of Hearing for Cost Awards dated July 3, 2013 we are pleased to file with the Ontario Energy Board NOACC's cost claim. Attached please find a Cost Claim for Hearing Form prepared according to section 10 of the Board's Practice Directions on Cost Awards.

The Board's Notice of Hearing for Cost Awards dated July 3, 2013 provides NOACC the opportunity to seek costs in relation to the Board's policy review of Micro-Embedded Generation Connection Issues. NOACC's time and disbursement for this cost claim relate to reviewing, information gathering, commenting and reporting on the Staff Discussion Paper.

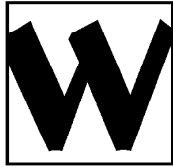
**Suite 201**  
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In determining the amount of costs awarded to NOACC we ask the Board to consider:

1. The NOACC Coalition has, and will continue to collaborate, represented by Weiler, Maloney, Nelson, to provide their collective questions, submissions and argument in relation to not only issues related to energy but also to environmental and other social imperatives, including but not limited to social imperatives that are peculiar to the geographical, economic and commercial needs of the Northwest Region. NOACC, The City, CVNW and NOMA have been and will continue to be proponents of coordinated, comprehensive planning, development and support of electricity infrastructure and policy changes in the Northwest as a Region.
2. NOACC is careful to keep attendances by additional counsel and consultants at a minimum.
3. NOACC as the lead member of the NOACC Coalition represented the direct interest of ratepayers, in their capacity as small commercial and business consumers, throughout the Northwest Region.
4. NOACC represents the member businesses of the individual Chambers of Commerce throughout the Northwest Region and as such, understands and can speak to the direct commercial and business interests of the business and commercial ratepayers in the Northwest Region (population approximately 250,000).
5. NOACC performed an extensive and in depth survey of its membership, specifically in relation to this consultation initiative and the issues identified by the Board in the Staff Discussion Paper. The results of the survey of NOACC membership formed NOACC's comment on the Staff Discussion Paper.
6. NOACC has access to the information about, and the analysis of, electrical and power system needs in the Northwest Region that has been developed by the Energy Task Force (ETF). The ETF is an informal regional research committee of interested and experienced individuals who by living and working in the northwest are keenly aware of the geographical and technical issues relating to electricity generation, transmission and distribution in the Northwest Region, including micro-embedded generation issues.
7. NOACC is keenly aware, therefore, of the geographical, technical and policy issues relating to electricity generation, transmission and distribution in the Northwest Region, including issues faced by its membership in relation to micro-embedded generation and as such is well suited to provide important and unique



perspectives in this policy review of micro-embedded generation connection issues.

8. There has been continual co-operation by NOACC with the Energy Task Force, NOMA, CVNW as well as the City to collect and consult with relevant stakeholders in the Northwest Region, including First Nations, and large and small industry, business consumers and municipalities.
9. Many issues in this consultation process were technical in nature and therefore review of literature and research on complex topics.

Please contact the undersigned or Mr. Mark Mikulasik should further information or clarification regarding this cost claim be required.

Respectfully submitted,

Yours very truly,

WEILER, MALONEY, NELSON

Per:

John A. Cyr,  
Counsel in this instance for  
NOACC

JAC/mm  
Encls.

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation 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 Notice of Hearing for Cost Awards. 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: N/A Country: Canada
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" 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.

<b>File # EB-</b> <u>2012-0246</u>	<b>Process:</b> <u>Micro-Embedded Generation Connection Issues</u>
<b>Party:</b> <u>NOACC</u>	<b>Affiant's Name:</b> <u>Mark P. Mikulasik</u>
<b>HST Number:</b> <u>122004658RT</u>	<b>HST Rate Ontario:</b> <u>13.00%</u>
Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

**Affidavit**

I, Mark P. Mikulasik, 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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement 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 Thunder Bay,  
in the Province/State of Ontario, on July-18-13  
(date)

  
**Commissioner for taking Affidavits**

**FHARA POTTINGER**

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



File # EB- 2012-0246 Process: Micro-Embedded Generation Connection Issues

Party: NOACC

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$4,545.34
Disbursements	\$54.05
HST	\$597.92
<b>Total Cost Claim</b>	<b>\$5,197.31</b>

**Detail of Fees and Disbursements Being Claimed**

**Statement of Fees Being Claimed**

Statement of Fees being claimed for Eligible Activity is found on the second tab of this workbook.

**Statement(s) of Disbursements Being Claimed**

Statement of Disbursements being claimed is found on the third tab of this workbook.

# Ontario Energy Board



## COST CLAIM FOR CONSULTATIONS

### Affidavit and Summary of Fees and Disbursements

#### Individual Whose Costs are Being Claimed

Name: John A. Cyr

Counsel/Articling Student/Paralegal:

☒

Consultant:

☐

CV attached:

☐

Completed Years  
Practicing/Years of relevant  
experience

33

CV not required:

☒

Name: Nick A. Melchiorre

Counsel/Articling Student/Paralegal:

☒

Consultant:

☐

CV attached:

☐

Completed Years  
Practicing/Years of relevant  
experience

9

CV not required:

☒

Name: Mark P. Mikulasik

Counsel/Articling Student/Paralegal:

☒

Consultant:

☐

CV attached:

☐

Completed Years  
Practicing/Years of relevant  
experience

1

CV not required:

☒

Name: \_\_\_\_\_

Counsel/Articling Student/Paralegal:

☐

Consultant:

☐

CV attached:

☐

Completed Years  
Practicing/Years of relevant  
experience

CV not required:

☐

Name: \_\_\_\_\_

Counsel/Articling Student/Paralegal:

☐

Consultant:

☐

CV attached:

☐

Completed Years  
Practicing/Years of relevant  
experience

CV not required:

☐

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Fees Being Claimed**



File # EB- 2012-0246

Process Micro-Embedded Generation Connection

Party NOACC

HST Rate: 13%

Individual Whose Fees are Being Claimed	Hourly rate	Written comments on discussion papers (hours)	Subtotal	HST	Total
		Eligible Participant			
John A. Cyr	\$330.00	Up to 20 hours 9.00	\$2,970.00	\$386.10	\$3,356.10
John A. Cyr	\$156.70	0.20	\$31.34	\$4.07	\$35.41
Nick Melchiorre	\$240.00	1.60	\$384.00	\$49.92	\$433.92
Mark Mikulasik	\$150.00	0.40	\$60.00	\$7.80	\$67.80
Mark Mikulasik	\$125.00	8.80	\$1,100.00	\$143.00	\$1,243.00

**Totals:**

**\$4,545.34 \$590.89**

**Total legal/consultant fees: \$5,136.23**

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Disbursements Being Claimed**



<b>File # EB-</b>	<b>2012-0246</b>	<b>Process:</b>	Micro-Embedded Generation Connection Issues
<b>Party:</b>	NOACC		

**Name of individual whose disbursements are being claimed:** John A. Cyr

<b>HST Rate Ontario: 13.00%</b>
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	Net Cost	HST	Total
Photocopies	\$51.90	\$6.75	\$58.65
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone	\$2.15	\$0.28	\$2.43
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
<b>TOTAL DISBURSEMENTS:</b>	<b>\$54.05</b>	<b>\$7.03</b>	<b>\$61.08</b>

1/





# WEILER, MALONEY, NELSON

The Corporation of the City of  
Thunder Bay  
500 Donald Street East  
Thunder Bay ON P7E 5V3

28 December 2012

Our file #: 57695  
Re: Long Term Energy Plan

Account #: 18960

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the period  
from 30 November 2012 to 28 December 2012:

21 Dec 12	Review email transmittal on EB-2012-0246 micro-embedded; instructions on file to student for quick research; review issues; email to Energy Task Force and NOACC re: information needed – MEGC Discussion Paper and NOACC survey re same	JAC	.8	264.00	MEGC
	Review email from Mr. Mikulasik to Mr. Cyr; review email from Mr. Cyr to Mr. Mikulasik; review email from Mr. Mikulasik to Mr. Cyr and email to Mr. Mikulasik and Mr. Cyr re: EB-2012-0246 Micro Embedded Generation Discussion Paper and NOACC survey re same	NM	.4	88.00	MEGC
	Review email from Mr. Cyr to Mr. Angus, Mr. Hebert and Mr. Wilson; review email	NM	.5	110.00	MEGC

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1001 William Street  
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Fax: (807) 623-4947  
Tollfree: 1-866-WEILERS  
Internet: [www.weilers.ca](http://www.weilers.ca)

from Mr. Angus to Mr. Wilson; review email from Mr. Wilson to Mr. Angus; review email from Mr. Hebert to Mr. Cyr, Mr. Angus and Mr. Wilson and review email from Mr. Angus to Mr. Hebert re: EB-2012-0246 Micro Embedded Generation Discussion Paper and NOACC survey re same

Email to Mr. Cyr; review reply email from Mr. Cyr; further email to Mr. Cyr and review email from Mr. Melchiorre to Mr. Cyr re: EB-2012-0246 Micro Embedded Generation Discussion Paper and NOACC survey re same

Review email from Mr. Cyr to Mr. Angus, Mr. Hebert and Mr. Wilson; review email from Mr. Angus to Mr. Wilson; review email from Mr. Wilson to Mr. Angus; review email from Mr. Hebert to Mr. Cyr, Mr. Angus and Mr. Wilson and review email from Mr. Angus to Mr. Hebert re: EB-2012-0246 Micro Embedded Generation Discussion Paper and NOACC survey re same

Review letter from Board re issues related to Micro-Embedded Generation Connection - EB-2012-0246 staff discussion paper; draft email to Mr. Cyr re: written comments on Staff Discussion Paper and NOACC survey re same

Research embedded and micro-embedded generation re Discussion paper

MM

.4

50.00

MEGC

MM

.5

62.50

MEGC

MM

.8

100.00

MEGC

MM

.9

112.50

MEGC

Begin substantive review of staff discussion paper re Micro-Embedded generation connection issues	MM	.5	62.50	MEGC
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J.A. Cyr	.8	@	330.00	=	264.00
Nick Melchiorre	.9	@	220.00	=	198.00
Mark Mikulasik	3.1	@	125.00	=	387.50
Total hours	4.8				

To our fee	849.50
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#### DISBURSEMENTS

Photocopies	10.30	T
Postage	1.05	T

Total disbursements	11.35
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Total Fees and Disbursements	<u>860.85</u>
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#### TOTAL TAXES

HST on 849.50 fees	110.43	
HST on 11.35 disbursements	1.48	
HST (Registration #: 122004658RT)		<u>111.91</u>

<b>Total Bill</b>	<b><u>972.76</u></b>
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**Weiler, Maloney, Nelson**



\_\_\_\_\_  
J.A. Cyr  
E.& O.E.

This account is due when rendered. Please pay promptly to avoid interest charges. Interest will be charged in accordance with the Solicitors Act of Ontario.

Suite 201  
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Thunder Bay, ON P7B 6M1

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# WEILER, MALONEY, NELSON

The Corporation of the City of  
Thunder Bay  
500 Donald Street East  
Thunder Bay ON P7E 5V3

31 January 2013

Our file #: 57695  
Re: Long Term Energy Plan

Account #: 19365

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the period from 27 December 2012 to 31 January 2013:

09 Jan 13	Review and develop with student and colleague the process for gathering relevant fact situations re Discussion Paper and NOACC survey re same	JAC	.2	66.00	MEGC
	Meeting with Mr. Melchiorre and Mr. Mikulasik re: MEGC Discussion Paper and NOACC survey re same (one-rate rule)	JAC	.2	31.34	MEGC
	Meeting with Mr. Cyr and Mr. Mikulasik re: MEGC Discussion Paper and NOACC survey re same (one-rate rule)	NM	.2	22.79	MEGC
	Meeting with Mr. Melchiorre and Mr. Cyr re: MEGC Discussion Paper and NOACC survey re same (one-rate rule)	MM	.2	11.87	MEGC
10 Jan 13	Attend telephone call with Solar Logix re installation and	MM	.8	100.00	MEGC

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	connectivity issue - EB-2012-0246 Micro Embedded Generation Discussion Paper and NOACC survey re same				
	Review Micro Embedded staff discussion paper; identify issues appropriate for comment; draft email to Mr. Cyr re: Discussion Paper and NOACC survey re same	MM	2.1	262.50	MEGC
11 Jan 13	Review Micro Fit rules 2.0; review Feed in Tariff program; review Directive of Minister of Energy April 5-12; draft email to Mr. Cyr re: same - Micro Embedded - EB-2012-0246 Discussion Paper and NOACC survey re same	MM	2.4	300.00	MEGC
	Attend telephone call with I&M electric re: Micro Embedded Generation; telephone call with Northern Lights solar systems re: same; telephone call with Thunder Bay Solar 1 re: NOACC survey for Staff Discussion Paper comment	MM	.6	75.00	MEGC
15 Jan 13	Attend to telephone call with Mr. Jeff Hagberg from Maki Bay Lighting re: Micro Embedded Generation re NOACC survey for Staff Discussion Paper comment	MM	.3	37.50	MEGC
	Review and revise email to Mr. Cyr re: Micro Embedded Connection Issues EB-2012-0246 Staff Discussion paper comment	MM	.5	62.50	MEGC
	Review email from Mr. Mikulasik to Mr. Cyr re: Micro Embedded Connection Issues EB-2012-0246 NOACC survey	NM	.1	24.00	MEGC
	Email to Mr. Cyr re: Micro Embedded Connection Issues	MM	.1	12.50	MEGC

23 Jan 13	EB-2012-0246 Review OEB cost order re Micro Embedded; draft email to Mr. Cyr re NOACC survey for Staff Discussion Paper comment	MM	.5	62.50	MEGC
	Review email from Mr. Mikulasik to Mr. Cyr re: Cost Award - Micro Embedded EB- 2012-0246 and review email from Mr. Mikulasik re NOACC survey for Staff Discussion Paper comment	NM	.1	24.00	MEGC
	Email to Mr. Cyr re: Cost Award - Micro Embedded EB- 2012-0246 and NOACC survey for Staff Discussion Paper comment	MM	.1	12.50	MEGC
24 Jan 13	Review email from Mr. Cyr to Mr. Mikulasik re: Cost Award - Micro Embedded EB-2012- 0246 and NOACC survey for Staff Discussion Paper comment	NM	.1	24.00	MEGC
	Review email from Mr. Cyr re: Cost Award - Micro Embedded EB-2012-0246 NOACC survey for Staff Discussion Paper comment	MM	.1	12.50	MEGC
	Review first section of staff discussion paper and draft a proposed comment - MEGC	JAC	1.4	462.00	MEGC
25 Jan 13	Review email with instructions on file; attending to format letter to Ms. Walli at OEB	DL	.3	42.00	MEGC
	Email to Board Secretary at OEB; review email from Mr. Cyr to Mr. Hebert, Mr. Angus and Mr. Wilson re: EB-2012- 0246 - NOACC comments on Board Staff Discussion Paper on Issues Related to the Connection of Micro- Embedded Generation Facilities and NOACC Survey	NM	.2	48.00	MEGC

	Review email from Board Secretary at OEB and reply of Mr. Cyr re: NOACC Staff Discussion Paper comment	NM	.1	24.00	MEGC
	Email to Board Secretary at OEB and reply of Mr. Cyr re NOACC staff discussion paper comment; review email from Mr. Cyr to Mr. Hebert, Mr. Angus and Mr. Wilson re: EB-2012-0246 - NOACC comments on Board Staff Discussion Paper on Issues Related to the Connection of Micro-Embedded Generation Facilities	MM	.2	25.00	MEGC
	Review email from Board Secretary at OEB and reply of Mr. Cyr re: NOACC Staff Discussion Paper comment	MM	.1	12.50	MEGC
	Review of Staff Discussion Paper Students report of interviews with suppliers of micro-embedded generation; review of various emails; draft, revise, edit and proofread comments on Matters 1, 3 and 6 from Discussion Paper	JAC	6.2	2046.00	MEGC
	Review and draft email comment in transmitting final version of comment to Energy Task Force and Chamber of Commerce re Staff discussion paper and NOACC survey	JAC	.4	132.00	MEGC
26 Jan 13	Review email from Mr. Angus to Mr. Cyr, Mr. Hebert and Mr. Wilson re: EB-2012-0246: NOACC comments on Board Staff Discussion Paper on Issues Related to the Connection of Micro-Embedded Generation Facilities	NM	.1	24.00	MEGC
	Review email from Mr. Angus	MM	.1	12.50	MEGC

to Mr. Cyr, Mr. Hebert and  
Mr. Wilson re: EB-2012-0246:  
NOACC comments on Board  
Staff Discussion Paper on  
Issues Related to the  
Connection of Micro-  
Embedded Generation  
Facilities

28 Jan 13	Review NOACC EB-2012-0246 comment submission; draft reporting email to NOACC and ETF re comment on Discussion Paper	MPM	.4	60.00	MEGC
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J.A. Cyr	.2	@	156.70	=	31.34
J.A. Cyr	8.2	@	330.00	=	2,706.00
Nick Melchiorre	.2	@	113.95	=	22.79
Nick Melchiorre	.7	@	240.00	=	168.00
D. Lafferty	.3	@	140.00	=	42.00
Mark Mikulasik	.4	@	150.00	=	60.00
Mark Mikulasik	.2	@	59.36	=	11.87
Mark Mikulasik	7.9	@	125.00	=	987.50
Total hours	18.1				

To our fee	4,029.50
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#### DISBURSEMENTS

Photocopies	41.60	T
Long Distance Charges	2.15	T

Total disbursements	43.75
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Total Fees and Disbursements	4,073.25
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#### TOTAL TAXES

HST on 4,029.50 fees	523.84
HST on 43.75 disbursements	5.69
HST (Registration #: 122004658RT)	529.53

<b>Total Bill</b>	<b>4,602.78</b>
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**Weiler, Maloney, Nelson**



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J.A. Cyr  
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