

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: Canada
- 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- <u>2012-0365</u>	Process: <u>Dufferin Wind Power Inc.</u>
Party: <u>Lori Bryenton</u>	Affiant's Name: <u>Graham Andrews</u>
HST Number: _____	HST Rate Ontario: <u>13.00%</u>
Full Registrant ☐	Qualifying Non-Profit ☐
Unregistered ☐	Tax Exempt ☐
Other ☐	

Affidavit

I, Graham Andrews, 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.

Graham Andrews
Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,
in the Province/State of Ontario, on July-31-13,
(date)

David Hwang
Commissioner for taking Affidavits

David Hwang
644 3511

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2012-0365 **Process:** Dufferin Wind Power Inc.

Party: Lori Bryenton

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$5,258.00
Disbursements	\$32.37
HST	\$687.75
Total Cost Claim	\$5,978.12

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Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0365</u>	Process: <u>Dufferin Wind Power Inc.</u>
Party: <u>Lori Bryenton</u>	Name: <u>Eric K. Gillespie</u>
Completed Years Practising/Years of relevant experience <u>17</u>	
Counsel/Articling Student/Paralegal: ☒	
Consultant: ☐	
CV attached: ☐	CV not required: ☒

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	1.60	\$290.00	\$464.00	\$60.32	\$524.32
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			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES					
			\$464.00	\$60.32	\$524.32

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	\$32.37	\$4.21	\$36.58
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:			
	\$32.37	\$4.21	\$36.58

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Detail of Fees and Disbursements Being Claimed

File # EB- 2012-0365	Process: Dufferin Wind Power Inc.
Party: Lori Bryenton	Name: Erin Wallace
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: ☒	<u>2</u>
Consultant: ☐	
CV attached: ☐	CV not required: ☒

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	1.40	\$170.00	\$238.00	\$30.94	\$268.94
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			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES					
			\$238.00	\$30.94	\$268.94

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

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Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0365</u>	Process: <u>Dufferin Wind Power Inc.</u>
Party: <u>Lori Bryenton</u>	Name: <u>Graham Andrews</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: ☒	<u>1</u>
Consultant: ☐	
CV attached: ☐	CV not required: ☒

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	26.60	\$170.00	\$4,522.00	\$587.86	\$5,109.86
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			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$4,522.00	\$587.86	\$5,109.86

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

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Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0365</u>	Process: <u>Dufferin Wind Power Inc.</u>
Party: <u>Lori Bryenton</u>	Name: <u>Natalie Smith</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: ☒	1
Consultant: ☐	
CV attached: ☐	CV not required: ☒

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	0.20	\$170.00	\$34.00	\$4.42	\$38.42
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			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$34.00	\$4.42	\$38.42

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

Lawyer	Time	Rate	Total
EKG	1.6	\$ 290	\$ 464.00
EW	1.4	\$ 170	\$ 238.00
GA	26.6	\$ 170	\$ 4,522.00
NS	0.2	\$ 170	\$ 34.00
Sub-total			<u>\$ 5,258.00</u>
HST			<u>\$ 683.54</u>
Total Fees			\$ 5,941.54

Disbs.

Postage			<u>36.58</u>
TOTAL FEES AND DISBS.			\$ 5,978.12

Date	Lwyr	Hours	Rate	Amount	Explanation
10/25/2012	EKG	0.10	290.00	30.00	Telephone call with G. Andrews re: possible OEB filing
10/25/2012	GA	1.30	170.00	227.50	Correspondence from client re OEB information, telephone call with OEB re requirements for oral hearing notice, telephone call with B. Alexander re same, email from B. Alexander re same, discussion with A. Maciel re same, review of DWP documents, email to EKG re discussions and reading
10/29/2012	EKG	0.10	290.00	30.00	Exchange of e-mail with G. Andrews re: date for OEB filing
10/29/2012	GA	0.30	170.00	52.50	Telephone call with EKG re filing requirements, review of email from B. Alexander re same
11/5/2012	GA	3.10	170.00	542.50	Drafting of Letter requesting Intervenor Status, telephone calls with client, discussion with EKG, faxing and emailing same to DWP and OEB
12/5/2012	GA	0.30	170.00	45.00	Review documents including PO1 from OEB
12/14/2012	GA	1.90	170.00	332.50	Correspondence from OEB re Procedural Order, telephone call from client re same, discussion with EKG re same
12/18/2012	GA	1.20	170.00	210.00	Drafting of Declaration, sending via email and courier to OEB
12/20/2012	NS	0.20	170.00	35.00	Review of e-mail from client re OEB proceedings; responded to client re same
1/2/2013	GA	0.80	170.00	140.00	Review documents incl. interrogatories, note to EKG re same
1/3/2013	GA	1.80	170.00	315.00	Drafting of Interrogatories for OEB, filing of same by courier and email to OEB Board Secretary, discussion with EKG re same
1/4/2013	EKG	0.90	290.00	270.00	Review of and revisions to OEB Interrogatories; discussions with G. Andrews re: same; exchange of email with client confirming filing
1/6/2013	EKG	0.20	290.00	60.00	Brief review of interrogatories from other parties; forwarding to G. Andrews
1/9/2013	GA	0.90	170.00	157.50	Telephone call with client re Interrogatories submissions, call to D. Crocker re same, call to J. Myers re same, etc.
1/13/2013	EKG	0.10	290.00	30.00	Review of email re: transmission update; forwarding to G. Andrews
1/14/2013	EKG	0.10	290.00	30.00	Telephone call with G. Andrews re: file update
1/17/2013	GA	4.80	170.00	840.00	Correspondence from DWPI re answers to Interrogatories, emailing same to client, review of answers to Interrogatories
1/23/2013	GA	0.20	170.00	35.00	Correspondence from client re confidential documents, reply to same
2/6/2013	GA	0.20	170.00	35.00	Correspondence to E. Wallace re DWP submissions
2/6/2013	EW	1.40	170.00	280.00	Spoke with G Andrews re editing submissions, reviewed and edited document.
2/6/2013	GA	1.60	170.00	272.00	Review documents including PO3 from OEB; discussion with E. Wallace re submissions for OEB

Dufferin Wind Power Inc.

Board File No. EB-2012-0365

Date	Lwyr	Hours	Rate	Amount	Explanation
3/13/2013	EKG	0.10	290.00	30.00	Discussion with G. Andrews re: status of OEB filings
3/13/2013	GA	0.10	170.00	17.50	Attendance at discussion of OEB process with EKG
3/29/2013	GA	0.30	170.00	45.00	Review documents including PO5 from OEB
4/10/2013	GA	0.90	170.00	157.50	Correspondence from client re interrogatories, reply to same
4/11/2013	GA	3.40	170.00	595.00	Review documents including DWPI filings, procedural Order #6, draft Interrogatories, revision to draft, emailing to OEB and parties, dispatching of same to OEB by courier, email to client re same
4/25/2013	GA	2.30	170.00	402.50	Correspondence from client re submissions, revisions to same; emailing and sending via courier of Final Submissions to OEB
6/11/2013	GA	0.80	170.00	140.00	Telephone call with client re conference call; review of OEB documents
7/31/2013	GA	0.40	170.00	68.00	Correspondence from client re costs submissions; telephone call to OEB re same

Dufferin Wind Power Inc.

Board File No. EB-2012-0365