

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- <u>2012-0137</u>	Process: <u>HORCI 2013 Rate Increase Application</u>
Party: <u>Nishnawbe Aski Nation</u>	Affiant's Name: <u>Douglas Cunningham</u>
HST Number: <u>812027423 RT0001</u>	HST Rate Ontario: <u>13.00%</u>
Full Registrant <input type="checkbox"/>	Qualifying Non-Profit <input checked="" type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

Affidavit

I, Jeff Nelson, 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(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 Thunder Bay,
in the Province/State of Ontario, **on** OCTOBER 8/13,
(date)


Commissioner for taking Affidavits

ROBERT C. EDWARDS
BARRISTER, SOLICITOR
NOTARY PUBLIC PROVINCE OF ONTARIO

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



File # EB- 2012-0137 Process: HORCI 2013 Rate Increase Application

Party: Nishnawbe Aski Nation

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$27,819.00
Disbursements	\$414.35
HST	\$3,670.34
Total Cost Claim	\$31,903.69

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0137</u>		Process: <u>HORCI 2013 Rate Increase Application</u>	
Party: <u>Nishnawbe Aski Nation</u>		Name: <u>Douglas Cunningham</u>	
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	<u>21</u>	
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	84.30	\$330.00	\$27,819.00	\$3,616.47	\$31,435.47
Attendance - Technical Conference		\$330.00	\$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			\$27,819.00	\$3,616.47	\$31,435.47

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies	\$356.50	\$46.35	\$402.85
Printing	\$57.85	\$7.52	\$65.37
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:		\$414.35	\$53.87
			\$468.22

DOUGLAS M. CUNNINGHAM
Barrister & Solicitor

Suite 600
10 King Street East
Toronto, Ontario
M5C 1C3

DOUGLAS M. CUNNINGHAM, B.A. (Hons.), M.A. LL.B.
Telephone No.: (416) 703-5400
Direct Line: (416) 703-3729
Facsimile No.: (416) 703-9111
Email: douglasmcunningham@gmail.com

October 4, 2013

Jeff Nelson
Finance Director
Nishnawbe Aski Nation
710 Victoria St. E.
Thunder Bay, Ontario
P7C 5P7

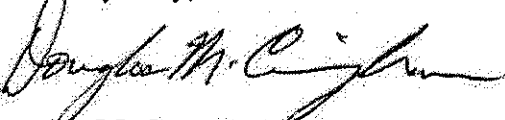
Dear Mr. Nelson:

Re: Nishnawbe Aski Nation
Re: HORCI 2013 Rate Increase Application
Our File No. 10068

Enclosed you will find our account for services rendered (Invoice #67). The total amount of fees, disbursements and HST is \$31,903.69.

Should you wish to speak further regarding the account please do not hesitate to contact me.

Yours very truly,



Douglas M. Cunningham
DMC/am

Encl.

Douglas M. Cunningham, Barrister and Solicitor

10 King Street East
Suite 600
Toronto, ON M5C 1C3 Canada

Ph: (416) 703-5400

Fax: (416) 703-9111

Nishnawbe Aski Nation
710 Victoria Street East
Thunder Bay, ON
P7C 5P7

October 4, 2013

File #: 10068
Inv #: 67

RE: NAN re: HORCI 2013 Rate Increase Application

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-23-13	Review of email and attachments from Una O'Reilly (HORCI) re: Letter of Direction and Notice of Application	0.30	99.00	DMC
Jan-24-13	Review of emails from Jamie Waller (Hydro One) concerning Remotes' 2013 Rate Increase Application; letter to NAN Executive concerning the nature of the Rate Increase Application and NAN's involvement in the OEB proceeding	0.80	264.00	DMC
Jan-31-13	Review of letter from Jamie Waller and attachment; phone message to NAN office seeking instructions concerning same	0.30	99.00	DMC
Feb-05-13	Email from A. Maciel concerning phone call from Deputy Grand Chief Les Louttit re: Rate Increase Application; phone call from L. Louttit concerning the OEB proceeding	0.30	99.00	DMC
Feb-10-13	Phone call with Les Louttit providing instructions on behalf of NAN re: the OEB proceeding	0.20	66.00	DMC
Feb-11-13	Email to Deputy Grand Chief confirming that NAN wants to seek Intervenor Party Status; email from L. Louttit concerning confirmation received from Grand Chief Harvey Yesno; drafting letter to OEB requesting intervenor party status	0.20	66.00	DMC

Feb-12-13	Email to Mel Stewart (NAN Energy Consultant) concerning NAN's request for intervenor status and other issues relevant to the OEB proceeding	0.20	66.00	DMC
Feb-28-13	Email from OEB with attached Procedural Order No. 1	0.20	66.00	DMC
Mar-03-13	Reporting email to NAN Executive concerning the Application by Remotes, and preparation of materials and submissions for the OEB proceeding, and related issues	0.80	264.00	DMC
Mar-04-13	Emails from Ben Cheechoo and Les Louttit (NAN Executive members) re: matters relating to the Application by Remotes	0.30	99.00	DMC
Mar-11-13	Review of March 6, 2013 email from Deputy Grand Chief Louttit, and drafting reporting email to NAN Executive concerning cost-related issues, and process to be followed in the OEB proceeding, and materials to be put together for NAN's submissions and interrogatories; responding email from L. Louttit	0.80	264.00	DMC
Mar-12-13	Reviewing Remotes' Application materials, and identifying issues for NAN which should be the subject of interrogatories	4.80	1,584.00	DMC
Mar-13-13	Reviewing voluminous materials (755 pp.) from Remotes in support of its application; email to Mel Stewart re: same	5.30	1,749.00	DMC
Mar-14-13	Reviewing Board Staff Interrogatories to Remotes; and continued review of Remotes' Application materials (755 pp.); phone call to Mel Stewart concerning division of work relating to interrogatories for NAN; email to Mel Stewart	4.50	1,485.00	DMC
Mar-18-13	Continued review of Remotes' Application materials; communications with Mel Stewart concerning his health problems and the work he has done on certain interrogatories; drafting NAN's interrogatories for submission to Remotes	2.20	726.00	DMC
Mar-19-13	Reviewing Remotes' Application record, and review of Energy Probe interrogatories	2.80	924.00	DMC

	directed at Remotes; phone call to Mel Stewart			
Mar-20-13	Drafting letter to OEB requesting extension to submit interrogatories because of Mel Stewart's hospitalization and DMC's family-related issues; phone call and email to A. Maciel re: same; email to M. Stewart	1.20	396.00	DMC
Mar-21-13	Email to M. Stewart concerning written interrogatories and NAN communities served by Remotes; reviewing information from Mel Stewart's file re: certain interrogatories; review of email from Lillian Ing (OEB) with attached letter; emails from Mel Stewart forwarding information he had prepared for assistance in NAN's interrogatories, and reviewing same	1.40	462.00	DMC
Mar-25-13	Reviewing Remotes' lengthy Application record, and drafting NAN interrogatories	4.80	1,584.00	DMC
Mar-26-13	Reviewing certain background information from Remotes' 2009 Rate Increase Application concerning Standard A and residential customers, and costs of providing service; review of similar information in 2013 Rate Increase Application materials; drafting and revising numerous interrogatories for NAN; phone call to Mel Stewart re: same	3.60	1,188.00	DMC
Mar-27-13	Drafting interrogatories for NAN for submission to the OEB; phone calls to Mel Stewart re: same; review of material from Mel Stewart; email to A. Maciel concerning revisions to draft interrogatories and instructions re: filing of same with OEB; phone calls with A. Maciel	0.80	264.00	DMC
Apr-08-13	Review of email from Remotes with preliminary review of attached answers to interrogatories; phone call to Mel Stewart re: same	2.80	924.00	DMC
Apr-09-13	Review of Remotes' voluminous materials in answer to interrogatories of Board Staff and the intervening parties; emails to A. Maciel and from Mel Stewart re: same	2.80	924.00	DMC

Apr-10-13	Reviewing Remotes' materials to answer interrogatories of Board Staff and other parties to the OEB proceeding; phone call to Mel Stewart re: non-responsiveness of certain information to NAN's interrogatories, and issues arising from same for any submissions to be made by NAN	3.10	1,023.00	DMC
Apr-16-13	Email from Neil Mather to parties to the OEB proceeding re: usefulness of a settlement conference; email and phone call to Mel Stewart re: same; review of email on behalf of Energy Probe	0.90	297.00	DMC
Apr-18-13	Review of email on behalf of VECC re: proposed settlement conference; emails from Mel Stewart re: same and his proposed involvement in such a process; review of email from Remotes concerning updated interrogatory; email to Neil Mather et al outlining NAN's position on the issue of a settlement conference, further written interrogatories, and related issues; short email from M. Stewart concerning NAN's position	1.30	429.00	DMC
Apr-23-13	Review of Procedural Order No. 2 from OEB	0.30	99.00	DMC
Apr-24-13	Review of Remotes' updates from Jamie Waller (Hydro One)	1.10	363.00	DMC
Apr-29-13	Review of OEB Interim Rate Order	0.20	66.00	DMC
May-03-13	Review of Energy Probe Supplemental Interrogatories	0.30	99.00	DMC
May-06-13	Review of email and attached supplemental interrogatories from Board Staff	0.70	231.00	DMC
May-22-13	Review of email from Neil Mather and attached spread sheet	0.30	99.00	DMC
May-27-13	Review of Remotes' Application materials, interrogatories and supplemental interrogatories, and answers to interrogatories, and preparing for Settlement Conference on May 28, 2013	4.80	1,584.00	DMC
May-28-13	Preparing for and attending the Settlement Conference with other parties to the proceeding	8.50	2,805.00	DMC

Jun-05-13	Review of draft copy of Settlement Proposal	0.60	198.00	DMC
Jun-07-13	Review of emails from Chris Haussmann and various parties to the proceeding providing comments, etc. on draft Settlement proposal; providing input on behalf of NAN concerning certain statements in the draft Proposal; email to respond to Chris Haussmann's inquiries; brief review of Notice of Application concerning outstanding issues to be determined by the OEB; reporting email to Jason Smallboy (NAN) concerning the settlement process, issues relating to Cat Lake First Nation (as a NAN community), and position of NAN concerning the proposed 3.45% rate increase	2.30	759.00	DMC
Jun-10-13	Review of emails from Chris Haussmann and from Ron Stewart and revised draft Settlement Proposal; review of email from Peter Faye (Energy Probe)	0.60	198.00	DMC
Jun-14-13	Review of emails from Jeffrey Smith (Hydro One), Ron Stewart (Cat Lake First Nation), Michael Janagan (VECC), and David MacIntosh (Energy Probe) concerning proposed hearing and witness panels	0.40	132.00	DMC
Jun-18-13	Review of email from Hydro One with revised Settlement Proposal and hearing plan; review of email from Ron Stewart re: preference of Cat Lake First Nation; review of emails from Maureen Helt (OEB); responding email to Maureen Helt concerning proposed cross-examinations and written submissions	0.60	198.00	DMC
Jun-19-13	Email from Neil Mather re: cancellation of oral presentations before the OEB; email from A. Maciel	0.20	66.00	DMC
Jun-21-13	Emails from Neil Mather Ron Stewart and email to Neil Mather; phone call to Mel Stewart concerning preparation of written submissions on behalf of NAN for the OEB panel	0.40	132.00	DMC
Jun-28-13	Review of email and Lillian Ing and attached Procedural Order No. 3; phone call to Mel	0.30	99.00	DMC

	Stewart re: same			
Jul-10-13	Detailed review of Divisional Court decision in Advocacy Centre; review of Algoma decision re: rate increases, and drafting written submissions on behalf of NAN for review by	3.20	1,056.00	DMC
Jul-11-13	OEB panel; review of Application materials and answers to certain interrogatories Drafting written submissions on behalf of NAN; review of Ontario Energy Board Act and Application and responding materials; email and phone call to Mel Stewart concerning same and requesting his comments; review of relevant case law to support submissions, including recent OEB decision on exemptions from the DSC for Remotes	3.10	1,023.00	DMC
Jul-12-13	Making revisions to NAN's written submissions; email from M. Stewart concerning proposed changes and additions; review of written submissions of Cat Lake First Nation; review of submissions of Board Staff; email to A. Maciel; phone calls with A. Maciel re: finalization of NAN's written submissions and filing of same with OEB; email to Deputy Grand Chief Les Louttit and Jason Smallboy concerning NAN's submissions to the OEB	2.20	726.00	DMC
Jul-30-13	Emails to and from Una O'Reilly concerning Remotes' Reply submissions and review of same; phone call with Mel Stewart concerning the position taken by Remotes in response to the concerns of NAN and Cat Lake First Nation	0.70	231.00	DMC
Aug-22-13	Review of email and decision on rate increase application by the OEB	0.60	198.00	DMC
Aug-23-13	Phone message to Jason Smallboy (NAN) re: determination of OEB on 2013 Rate Increase Application by Remotes, and related issues	0.20	66.00	DMC
Sep-03-13	Review of email from Hydro One Networks and draft Rate Order	0.50	165.00	DMC
Sep-10-13	Obtaining instructions from NAN re: Motion for Review of OEB decision (22 August	0.80	264.00	DMC

	2013), and discussion of issues to be covered in motion; email to Board Secretary re: same			
Sep-11-13	Review of Board's 22 August 2013 decision, and NAN's previous submissions to the Board; drafting Notice of Motion; review of certain Rules of Practice for the OEB; email to A. Maciel re: formatting of Motion materials; email to J. Smallboy (NAN) forwarding Notice of Motion; finalizing motion materials and instructions re: filing of same with OEB Secretary	3.50	1,155.00	DMC
Sep-13-13	Email from Hydro One Networks with attached responses to comments on draft order	0.40	132.00	DMC
Sep-23-13	Review of email and attached letter from the OEB	0.20	66.00	DMC
Sep-24-13	Review of email from Hydro One Networks and attached letter re: NAN's motion for a review of the Board's 22 August 2013 decision	0.20	66.00	DMC
Sep-27-13	Review of Board's Rate Order (dated 27 September 2013)	0.40	132.00	DMC
	Totals	84.30	\$27,819.00	
	Total HST on Fees		3,616.47	

DISBURSEMENTS

	Photocopies		356.50	
Aug-20-13	Agency Fees - Print Three Inv. 11558		57.85	
	Totals		\$414.35	
	Total HST on Disbursements		53.87	
	Total Fee, Disbursements and HST			\$31,903.69


DOUGLAS M. CUNNINGHAM
Barrister & Solicitor

Tax ID No. 864856695 RT0001

*tax exempt

Accounts are payable upon receipt. Unpaid accounts are subject to a 2.0% interest charge per month.

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- <u>2012-0137</u>	Process: <u>HORCI 2013 Rate Increase Application</u>
Party: <u>Nishnawbe Aski Nation</u>	Affiant's Name: <u>Douglas Cunningham</u>
HST Number: <u>812027423 RT0001</u>	HST Rate Ontario: <u>13.00%</u>
Full Registrant <input type="checkbox"/>	Qualifying Non-Profit <input checked="" type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	


Affidavit

I, Jeff Nelson, 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(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 Thunder Bay,
in the Province/State of Ontario, **on** OCTOBER 8/13.
(date)


Commissioner for taking Affidavits

ROBERT C. EDWARDS
BARRISTER, SOLICITOR
NOTARY PUBLIC PROVINCE OF ONTARIO

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



File # EB- 2012-0137 Process: HORCI 2013 Rate Increase Application

Party: Nishnawbe Aski Nation

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$27,819.00
Disbursements	\$414.35
HST	\$3,670.34
Total Cost Claim	\$31,903.69

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0137</u>		Process: <u>HORCI 2013 Rate Increase Application</u>	
Party: <u>Nishnawbe Aski Nation</u>		Name: <u>Douglas Cunningham</u>	
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	<u>21</u>	
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	84.30	\$330.00	\$27,819.00	\$3,616.47	\$31,435.47
Attendance - Technical Conference		\$330.00	\$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			\$27,819.00	\$3,616.47	\$31,435.47

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies	\$356.50	\$46.35	\$402.85
Printing	\$57.85	\$7.52	\$65.37
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:	\$414.35	\$53.87	\$468.22

DOUGLAS M. CUNNINGHAM
Barrister & Solicitor

Suite 600
10 King Street East
Toronto, Ontario
M5C 1C3

DOUGLAS M. CUNNINGHAM, B.A. (Hons.), M.A. LL.B.
Telephone No.: (416) 703-5400
Direct Line: (416) 703-3729
Facsimile No.: (416) 703-9111
Email: douglasmcunningham@gmail.com

October 4, 2013

Jeff Nelson
Finance Director
Nishnawbe Aski Nation
710 Victoria St. E.
Thunder Bay, Ontario
P7C 5P7

Dear Mr. Nelson:

Re: Nishnawbe Aski Nation
Re: HORCI 2013 Rate Increase Application
Our File No. 10068

Enclosed you will find our account for services rendered (Invoice #67). The total amount of fees, disbursements and HST is **\$31,903.69**.

Should you wish to speak further regarding the account please do not hesitate to contact me.1

Yours very truly,



Douglas M. Cunningham
DMC/am

Encl.

Douglas M. Cunningham, Barrister and Solicitor

10 King Street East
Suite 600
Toronto, ON M5C 1C3 Canada

Ph: (416) 703-5400

Fax: (416) 703-9111

Nishnawbe Aski Nation
710 Victoria Street East
Thunder Bay, ON
P7C 5P7

October 4, 2013

File #: 10068
Inv #: 67

RE: NAN re: HORCI 2013 Rate Increase Application

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-23-13	Review of email and attachments from Una O'Reilly (HORCI) re: Letter of Direction and Notice of Application	0.30	99.00	DMC
Jan-24-13	Review of emails from Jamie Waller (Hydro One) concerning Remotes' 2013 Rate Increase Application; letter to NAN Executive concerning the nature of the Rate Increase Application and NAN's involvement in the OEB proceeding	0.80	264.00	DMC
Jan-31-13	Review of letter from Jamie Waller and attachment; phone message to NAN office seeking instructions concerning same	0.30	99.00	DMC
Feb-05-13	Email from A. Maciel concerning phone call from Deputy Grand Chief Les Louttit re: Rate Increase Application; phone call from L. Louttit concerning the OEB proceeding	0.30	99.00	DMC
Feb-10-13	Phone call with Les Louttit providing instructions on behalf of NAN re: the OEB proceeding	0.20	66.00	DMC
Feb-11-13	Email to Deputy Grand Chief confirming that NAN wants to seek Intervenor Party Status; email from L. Louttit concerning confirmation received from Grand Chief Harvey Yesno; drafting letter to OEB requesting intervenor party status	0.20	66.00	DMC

Feb-12-13	Email to Mel Stewart (NAN Energy Consultant) concerning NAN's request for intervenor status and other issues relevant to the OEB proceeding	0.20	66.00	DMC
Feb-28-13	Email from OEB with attached Procedural Order No. 1	0.20	66.00	DMC
Mar-03-13	Reporting email to NAN Executive concerning the Application by Remotes, and preparation of materials and submissions for the OEB proceeding, and related issues	0.80	264.00	DMC
Mar-04-13	Emails from Ben Cheechoo and Les Louttit (NAN Executive members) re: matters relating to the Application by Remotes	0.30	99.00	DMC
Mar-11-13	Review of March 6, 2013 email from Deputy Grand Chief Louttit, and drafting reporting email to NAN Executive concerning cost-related issues, and process to be followed in the OEB proceeding, and materials to be put together for NAN's submissions and interrogatories; responding email from L. Louttit	0.80	264.00	DMC
Mar-12-13	Reviewing Remotes' Application materials, and identifying issues for NAN which should be the subject of interrogatories	4.80	1,584.00	DMC
Mar-13-13	Reviewing voluminous materials (755 pp.) from Remotes in support of its application; email to Mel Stewart re: same	5.30	1,749.00	DMC
Mar-14-13	Reviewing Board Staff Interrogatories to Remotes; and continued review of Remotes' Application materials (755 pp.); phone call to Mel Stewart concerning division of work relating to interrogatories for NAN; email to Mel Stewart	4.50	1,485.00	DMC
Mar-18-13	Continued review of Remotes' Application materials; communications with Mel Stewart concerning his health problems and the work he has done on certain interrogatories; drafting NAN's interrogatories for submission to Remotes	2.20	726.00	DMC
Mar-19-13	Reviewing Remotes' Application record, and review of Energy Probe interrogatories	2.80	924.00	DMC

	directed at Remotes; phone call to Mel Stewart			
Mar-20-13	Drafting letter to OEB requesting extension to submit interrogatories because of Mel Stewart's hospitalization and DMC's family-related issues; phone call and email to A. Maciel re: same; email to M. Stewart	1.20	396.00	DMC
Mar-21-13	Email to M. Stewart concerning written interrogatories and NAN communities served by Remotes; reviewing information from Mel Stewart's file re: certain interrogatories; review of email from Lillian Ing (OEB) with attached letter; emails from Mel Stewart forwarding information he had prepared for assistance in NAN's interrogatories, and reviewing same	1.40	462.00	DMC
Mar-25-13	Reviewing Remotes' lengthy Application record, and drafting NAN interrogatories	4.80	1,584.00	DMC
Mar-26-13	Reviewing certain background information from Remotes' 2009 Rate Increase Application concerning Standard A and residential customers, and costs of providing service; review of similar information in 2013 Rate Increase Application materials; drafting and revising numerous interrogatories for NAN; phone call to Mel Stewart re: same	3.60	1,188.00	DMC
Mar-27-13	Drafting interrogatories for NAN for submission to the OEB; phone calls to Mel Stewart re: same; review of material from Mel Stewart; email to A. Maciel concerning revisions to draft interrogatories and instructions re: filing of same with OEB; phone calls with A. Maciel	0.80	264.00	DMC
Apr-08-13	Review of email from Remotes with preliminary review of attached answers to interrogatories; phone call to Mel Stewart re: same	2.80	924.00	DMC
Apr-09-13	Review of Remotes' voluminous materials in answer to interrogatories of Board Staff and the intervening parties; emails to A. Maciel and from Mel Stewart re: same	2.80	924.00	DMC

Apr-10-13	Reviewing Remotes' materials to answer interrogatories of Board Staff and other parties to the OEB proceeding; phone call to Mel Stewart re: non-responsiveness of certain information to NAN's interrogatories, and issues arising from same for any submissions to be made by NAN	3.10	1,023.00	DMC
Apr-16-13	Email from Neil Mather to parties to the OEB proceeding re: usefulness of a settlement conference; email and phone call to Mel Stewart re: same; review of email on behalf of Energy Probe	0.90	297.00	DMC
Apr-18-13	Review of email on behalf of VECC re: proposed settlement conference; emails from Mel Stewart re: same and his proposed involvement in such a process; review of email from Remotes concerning updated interrogatory; email to Neil Mather et al outlining NAN's position on the issue of a settlement conference, further written interrogatories, and related issues; short email from M. Stewart concerning NAN's position	1.30	429.00	DMC
Apr-23-13	Review of Procedural Order No. 2 from OEB	0.30	99.00	DMC
Apr-24-13	Review of Remotes' updates from Jamie Waller (Hydro One)	1.10	363.00	DMC
Apr-29-13	Review of OEB Interim Rate Order	0.20	66.00	DMC
May-03-13	Review of Energy Probe Supplemental Interrogatories	0.30	99.00	DMC
May-06-13	Review of email and attached supplemental interrogatories from Board Staff	0.70	231.00	DMC
May-22-13	Review of email from Neil Mather and attached spread sheet	0.30	99.00	DMC
May-27-13	Review of Remotes' Application materials, interrogatories and supplemental interrogatories, and answers to interrogatories, and preparing for Settlement Conference on May 28, 2013	4.80	1,584.00	DMC
May-28-13	Preparing for and attending the Settlement Conference with other parties to the proceeding	8.50	2,805.00	DMC

Jun-05-13	Review of draft copy of Settlement Proposal	0.60	198.00	DMC
Jun-07-13	Review of emails from Chris Haussmann and various parties to the proceeding providing comments, etc. on draft Settlement proposal; providing input on behalf of NAN concerning certain statements in the draft Proposal; email to respond to Chris Haussmann's inquiries; brief review of Notice of Application concerning outstanding issues to be determined by the OEB; reporting email to Jason Smallboy (NAN) concerning the settlement process, issues relating to Cat Lake First Nation (as a NAN community), and position of NAN concerning the proposed 3.45% rate increase	2.30	759.00	DMC
Jun-10-13	Review of emails from Chris Haussmann and from Ron Stewart and revised draft Settlement Proposal; review of email from Peter Faye (Energy Probe)	0.60	198.00	DMC
Jun-14-13	Review of emails from Jeffrey Smith (Hydro One), Ron Stewart (Cat Lake First Nation), Michael Janagan (VECC), and David MacIntosh (Energy Probe) concerning proposed hearing and witness panels	0.40	132.00	DMC
Jun-18-13	Review of email from Hydro One with revised Settlement Proposal and hearing plan; review of email from Ron Stewart re: preference of Cat Lake First Nation; review of emails from Maureen Helt (OEB); responding email to Maureen Helt concerning proposed cross-examinations and written submissions	0.60	198.00	DMC
Jun-19-13	Email from Neil Mather re: cancellation of oral presentations before the OEB; email from A. Maciel	0.20	66.00	DMC
Jun-21-13	Emails from Neil Mather Ron Stewart and email to Neil Mather; phone call to Mel Stewart concerning preparation of written submissions on behalf of NAN for the OEB panel	0.40	132.00	DMC
Jun-28-13	Review of email and Lillian Ing and attached Procedural Order No. 3; phone call to Mel	0.30	99.00	DMC

	Stewart re: same			
Jul-10-13	Detailed review of Divisional Court decision in Advocacy Centre; review of Algoma decision re: rate increases, and drafting written submissions on behalf of NAN for review by	3.20	1,056.00	DMC
	OEB panel; review of Application materials and answers to certain interrogatories			
Jul-11-13	Drafting written submissions on behalf of NAN; review of Ontario Energy Board Act and Application and responding materials; email and phone call to Mel Stewart concerning same and requesting his comments; review of relevant case law to support submissions, including recent OEB decision on exemptions from the DSC for Remotes	3.10	1,023.00	DMC
Jul-12-13	Making revisions to NAN's written submissions; email from M. Stewart concerning proposed changes and additions; review of written submissions of Cat Lake First Nation; review of submissions of Board Staff; email to A. Maciel; phone calls with A. Maciel re: finalization of NAN's written submissions and filing of same with OEB; email to Deputy Grand Chief Les Louttit and Jason Smallboy concerning NAN's submissions to the OEB	2.20	726.00	DMC
Jul-30-13	Emails to and from Una O'Reilly concerning Remotes' Reply submissions and review of same; phone call with Mel Stewart concerning the position taken by Remotes in response to the concerns of NAN and Cat Lake First Nation	0.70	231.00	DMC
Aug-22-13	Review of email and decision on rate increase application by the OEB	0.60	198.00	DMC
Aug-23-13	Phone message to Jason Smallboy (NAN) re: determination of OEB on 2013 Rate Increase Application by Remotes, and related issues	0.20	66.00	DMC
Sep-03-13	Review of email from Hydro One Networks and draft Rate Order	0.50	165.00	DMC
Sep-10-13	Obtaining instructions from NAN re: Motion for Review of OEB decision (22 August	0.80	264.00	DMC

	2013), and discussion of issues to be covered in motion; email to Board Secretary re: same			
Sep-11-13	Review of Board's 22 August 2013 decision, and NAN's previous submissions to the Board; drafting Notice of Motion; review of certain Rules of Practice for the OEB; email to A. Maciel re: formatting of Motion materials; email to J. Smallboy (NAN) forwarding Notice of Motion; finalizing motion materials and instructions re: filing of same with OEB Secretary	3.50	1,155.00	DMC
Sep-13-13	Email from Hydro One Networks with attached responses to comments on draft order	0.40	132.00	DMC
Sep-23-13	Review of email and attached letter from the OEB	0.20	66.00	DMC
Sep-24-13	Review of email from Hydro One Networks and attached letter re: NAN's motion for a review of the Board's 22 August 2013 decision	0.20	66.00	DMC
Sep-27-13	Review of Board's Rate Order (dated 27 September 2013)	0.40	132.00	DMC
	Totals	84.30	<u>\$27,819.00</u>	
	Total HST on Fees		3,616.47	

DISBURSEMENTS

	Photocopies		356.50	
Aug-20-13	Agency Fees - Print Three Inv. 11558		57.85	
	Totals		<u>\$414.35</u>	
	Total HST on Disbursements		53.87	
	Total Fee, Disbursements and HST			<u>\$31,903.69</u>


DOUGLAS M. CUNNINGHAM
Barrister & Solicitor

Tax ID No. 864856695 RT0001

*tax exempt

Accounts are payable upon receipt. Unpaid accounts are subject to a 2.0% interest charge per month.