



WEILER, MALONEY, NELSON

Celebrating Over 65 Years of Service

DIRECT LINE: John A. Cyr (807) 625-8880
EMAIL: jeyr@wmnlaw.com

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

October 28, 2013

Frederick J. W. Bickford (Counsel)
Certified Specialist (Labour Law)

File #57695

B. Paul Jasiura

VIA MAIL AND EMAIL BoardSec@ontarioenergyboard.ca

John A. Cyr
Certified Specialist
(Corporate and Commercial Law)

Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Brian A. Babcock

Attention: Ms. Kirsten Walli, Board Secretary

Garth A. O'Neill
Certified Specialist (Labour Law)

Dear Ms. Walli

Deborah A. Humphreys

**Re: EB-2013-0192 - Proposal to Amend the Licence of the
Ontario Power**

Bradley A. Smith

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 co-ordinated proceeding. Pursuant to the Board's Decision and Order dated October 21, 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.

Nick Melchiorre

Martha Petryshyn

Phara A. Pottinger

Sarah B. Marilla

AnnMarie Stilla

Mark P. Mikulasik

The Board's Decision and Order dated October 21, 2013 provides NOACC the opportunity to seek costs in relation to the Board's proposal to amend the licence of the Ontario Power Authority (OPA) to reflect the OPA's obligations in the regional planning process. The NOACC Coalition's time and disbursement for the this cost claim relates to Intervention and Cost Eligibility Request as well as a submission filed by NOACC on July 18, 2013 (the "Submission").

Suite 201
1001 William Street
Thunder Bay, ON P7B 6M1

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Fax: (807) 623-4947
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Internet: www.weilers.ca



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 in the development of electricity infrastructure in the Northwest as a Region.
2. 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. Those ratepayers are often dependent on a single large industrial employer in a town. The viability of those industrial plants is essential to their livelihood.
3. 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).
4. NOACC has access to the information about, and the analysis of, 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.
5. NOACC is keenly aware, therefore, of the geographical and technical issues relating to electricity generation, transmission and distribution in the Northwest Region, and as such is well suited to provide important and unique perspectives in the development of a Renewed Regulatory Framework for Electricity Distributors and Transmitters.
6. 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 industry and municipalities.



7. The Submission was within the scope of this proceeding because it was directly related to the proposed amendments to the OPA's licence as they relate to the Regional Planning Process.

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 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: N/A 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- 2013-0192

Process: OPA Licence Amendment

Party: NOACC

Affiant's Name: Mark P. Mikulasik

HST Number: 122004658RT

HST Rate Ontario: _____

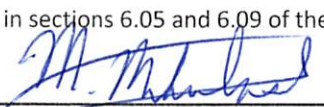
Full Registrant ☒
Unregistered ☐
Other ☐

Qualifying Non-Profit ☐
Tax Exempt ☐

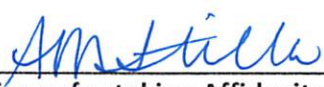
Affidavit

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(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-28-13.
(date)


Commissioner for taking Affidavits

ANN M. STILLA

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



File # EB- 2013-0192 **Process:** OPA Licence Amendment
Party: NOACC

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$3,894.00
Disbursements	\$0.00
HST	\$0.00
Total Cost Claim	\$3,894.00

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



File # EB- <u>2013-0192</u>	Process: <u>OPA Licence Amendment</u>
Party: <u>NOACC</u>	Name: <u>John A. Cyr</u>
Completed Years Practising/Years of relevant experience <u>33</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			\$0.00	\$0.00	\$0.00
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	11.80	\$330.00	\$3,894.00	\$0.00	\$3,894.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$3,894.00	\$0.00	\$3,894.00

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

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: N/A 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>2013-0192</u>	Process: <u>OPA Licence Amendment</u>
Party: <u>NOACC</u>	Affiant's Name: <u>Mark P. Mikulasik</u>
HST Number: <u>122004658RT</u>	HST Rate Ontario: _____
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(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
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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-28-13.
(date)


Commissioner for taking Affidavits

ANN M. STILLA

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



File # EB- 2013-0192 **Process:** OPA Licence Amendment
Party: NOACC

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$230.00
Disbursements	\$0.00
HST	\$0.00
Total Cost Claim	\$230.00

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



File # EB- <u>2013-0192</u>		Process: <u>OPA Licence Amendment</u>	
Party: <u>NOACC</u>		Name: <u>Nick A. Melchiorre</u>	
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	<u>9</u>	
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			\$0.00	\$0.00	\$0.00
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	1.00	\$230.00	\$230.00	\$0.00	\$230.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$230.00	\$0.00	\$230.00

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

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

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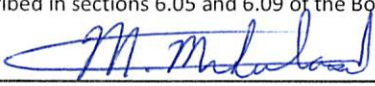
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File # EB- <u>2013-0192</u>	Process: <u>OPA Licence Amendment</u>
Party: <u>NOACC</u>	Affiant's Name: <u>Mark P. Mikulasik</u>
HST Number: <u>122004658RT</u>	HST Rate Ontario: _____
Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit <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
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Signature of Affiant

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in the Province/State of Ontario, on October-28-13.
(date)



Commissioner for taking Affidavits

ANN M. STILLA

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



File # EB- 2013-0192 Process: OPA Licence Amendment

Party: NOACC

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$1,035.00
Disbursements	\$0.00
HST	\$0.00
Total Cost Claim	\$1,035.00

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



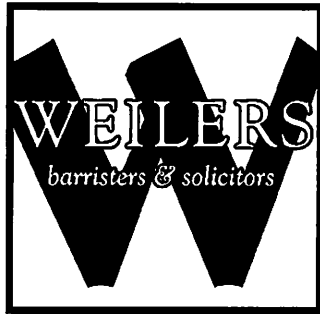
File # EB- <u>2013-0192</u>	Process: <u>OPA Licence Amendment</u>
Party: <u>NOACC</u>	Name: <u>Mark P. Mikulasik</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	<u>1</u>
Consultant: <input type="checkbox"/>	
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	4.60	\$150.00	\$690.00	\$0.00	\$690.00
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	2.30	\$150.00	\$345.00	\$0.00	\$345.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$1,035.00	\$0.00	\$1,035.00

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



WEILER, MALONEY, NELSON

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

25 June 2013

Northwestern Ontario Associated Chambers of
Commerce

Our file #: 57695
Re: Long Term Energy Plan

Account #: 21180

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the
period from 29 May 2013 to 25 June 2013:

03 Jun 13	Review Proposed Amendments to the Licence of the OPA - EB-2013-0192; analysis and instructions on file to associate	JAC	1.3	429.00
09 Jun 13	Review issues on intervenor status for OPA licence renewal EB-2013-0192 - Licence Renewal	JAC	.2	66.00
10 Jun 13	Review emails re: OPA Licence Renewal	NM	.2	46.00
13 Jun 13	Draft request for intervenor status and cost eligibility re OPA licence renewal; review and revise same; review OEB Practice Direction on Cost Awards	MPM	3.2	480.00
	Review email re: OPA Licence Renewal	MPM	.1	15.00
14 Jun 13	Review emails re: OPA Licence Amendment	NM	.3	69.00
16 Jun 13	Review email re: OPA Licence Amendment	NM	.1	23.00
	Review email re: OPA Licence Amendment	NM	.1	23.00

Suite 201
1001 William Street
Thunder Bay, ON P7B 6M1

Phone: (807) 623-1111
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Internet: www.weilers.ca

19 Jun 13	Review emails re: OPA Licence Renewal	NM	.2	46.00
21 Jun 13	Review email re: OPA Consultation	NM	.1	23.00
	J.A. Cyr	1.5 @	330.00 =	495.00
	Mark Mikulasik	3.3 @	150.00 =	495.00
	Nick Melchiorre	1.0 @	240.00 =	230.00
	Total hours	5.8		1,220.00
	To our fee			1,220.00

DISBURSEMENTS

Total disbursements	0.00
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Total Fees and Disbursements	<u>1,220.00</u>
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TOTAL TAXES

HST on 1,258.00 fees	158.60
HST on 0.00 disbursements	0.00
HST (Registration #: 122004658RT)	<u>158.60</u>

Total Bill	<u>1,378.60</u>
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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
1001 William Street
Thunder Bay, ON P7B 6M1

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Fax: (807) 623-4947
Tollfree: 1-866-WEILERS
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WEILER, MALONEY, NELSON

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

26 July 2013

Northwestern Ontario Associated Chambers of
Commerce

Our file #: 57695
Re: Long Term Energy Plan

Account #: 21676

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the
period from 25 June 2013 to 26 July 2013:

04 Jul 13	Review associate's Memo on submission restriction and draft email to client - OPA Licence Renewal	JAC	.4	132.00
	Review OPA submission re licence amendment; draft email to Mr. John Cyr re same	MPM	.3	45.00
09 Jul 13	Review retainer and email re NOACC authorization and review follow up email related	JAC	.5	165.00
17 Jul 13	Review documents and begin drafting submission on Board's proposed amendments to OPA Licence Renewal	JAC	3.9	1287.00
	Attend to telephone conference with Mr. John Cyr re submissions re OPA licence amendment	MPM	.2	30.00
18 Jul 13	Further analysis; drafting of OPA licence renewal submission - OPA Licence Renewal	JAC	5.4	1782.00
	Attend to telephone call with Mr. John Cyr re submission on proposal to amend OPA licence; amend submission accordingly	MPM	.3	45.00

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	Draft email to OEB re OPA licence amendment submission; review and revise same; review PO number 1 for requirements of cost claim; draft letter to OEB re same	MPM	1.1	165.00
	Review and revise submission re OPA licence amendment; file with Board	MPM	1.7	255.00
24 Jul 13	Instructions on file to associate re reporting to client - OPA Licence Renewal	JAC	.1	33.00

J.A. Cyr	10.3 @	330.00 =	3,399.00
Mark Mikulasik	3.6 @	150.00 =	540.00
Total hours	13.9		3,939.00

To our fee	3,939.00
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DISBURSEMENTS

Total disbursements	0.00
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Total Fees and Disbursements	<u>3,939.00</u>
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TOTAL TAXES

HST on 3,939.00 fees	441.87
HST on 0.00 disbursements	0.00
HST (Registration #: 122004658RT)	<u>441.87</u>

Total Bill	<u>3,840.87</u>
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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.

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Thunder Bay, ON P7B 6M1

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