



Fogler, Rubinoff LLP  
Lawyers

77 King Street West  
Suite 3000, PO Box 95  
TD Centre  
Toronto, ON M5K 1G8  
t: 416.864.9700 | f: 416.941.8852  
foglers.com

October 24, 2013

Reply To: Thomas Brett  
Direct Dial: 416.941.8861  
E-mail: tbrett@foglers.com  
Our File No. 133967

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

Attention: Kirsten Walli,  
Board Secretary

Dear Ms. Walli:

**Re: EB-2013-0192**

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

Cheque should be made payable as follows:

Fogler, Rubinoff  
77 King Street West, Suite 3000  
Toronto, ON M5K 1G8

Yours sincerely,

**FOGLER, RUBINOFF LLP**

Thomas Brett  
TB/dd  
Encls.

cc. Charlene deBoer, OPA (*via email*)  
Marion Fraser, Fraser & Company (*via email*)

# 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

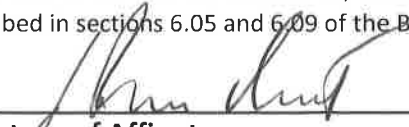
- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "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>2013-0192</u>	Process: <u>Amendments to OPA Licence EO-2010-0220</u>
Party: <u>BOMA</u>	Affiant's Name: <u>Tom Brett</u>
HST Number: <u>R119420859</u>	HST Rate Ontario: <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, Tom Brett, of the City/Town of Toronto  
in the Province/State of Ontario, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

  
\_\_\_\_\_  
Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,  
in the Province/State of Ontario, on Oct.24/13,  
(date)

  
\_\_\_\_\_  
Commissioner for taking Affidavits

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



File # EB- 2013-0192 Process: Amendments to OPA Licence EO-2010-0220

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$1,155.00
Disbursements	19.98
HST	152.75
<b>Total Cost Claim</b>	<b>\$1,327.73</b>



# Ontario Energy Board COST CLAIM FOR HEARINGS



## Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0192</u>	Process: <u>Amendments to OPA Licence EO-2010-0220</u>
Party: <u>BOMA</u>	Name: <u>Marion Fraser</u>
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	Completed Years Practising/Years of relevant experience _____
Consultant: <input checked="" type="checkbox"/>	_____
CV attached: <input type="checkbox"/>	33
CV not required: <input checked="" type="checkbox"/>	_____

### Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	2.00	\$330.00	\$660.00	\$85.80	\$745.80
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
<b>TOTAL LEGAL/CONSULTANT FEES</b>			<b>\$660.00</b>	<b>\$85.80</b>	<b>\$745.80</b>

### 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
<b>TOTAL DISBURSEMENTS:</b>		<b>\$0.00</b>	<b>\$0.00</b>

**F1588**  
Fraser & Company

CLIENT LAWYER: Brett, Thomas  
MATTER\_LAWYER: Brett, Thomas  
LAWYER ON BILL: **Brett, Thomas**  
LAST BILL DATE: NONE

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

PAYOR: F1588 MAIN  
BILL: F1588 MAIN

**133967**  
BOMA – Regional Infrastructure  
Planning - Notice of Proposal to  
Amend the Licence of the Ontario  
Power Authority; Board File No.  
EB-2013-0192

ACCOUNT APPROVAL

Thomas Brett

FINAL BILL: MATTER WILL BE MADE INACTIVE

**UNBILLED TIME**

<u>LAST ENTRY</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>	<u>FEE CREDIT ALLOCATION</u>	<u>CODE</u>	<u>INIT</u>
17/Jun/13	Thomas Brett	1.50	495.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		1.50	495.00	<input type="checkbox"/> WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

**UNBILLED DISBURSEMENTS**

<u>LAST ENTRY</u>	<u>CODE</u>	<u>DISB. TYPE</u>	<u>GST</u>	<u>AMOUNT</u>	<u>UNBILLED W/O</u>	<u>ANTICIPATED</u>	<u>TOTAL THIS BILL</u>
18/Jul/13	7	Courier & Delivery	Y	19.98			
TOTAL UNBILLED DISB				19.98	<input type="checkbox"/> WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

**TRUST SUMMARY** – A Trust was not opened on this Matter

F1588 **133967**

Fraser &amp; Company

BOMA – Regional Infrastructure Planning

- Notice of Proposal to Amend the  
Licence of the Ontario Power Authority;

Board File No. EB-2013-0192

Prebill No.: 711394

Session ID: 399520

LAST BILL DATE: NONE

LAST BILLED TO DATE: NONE

FILE LAWYER: Brett, Thomas

ASSIGNED LAWYER: Brett, Thomas

CLIENT ADDRESS

Fraser &amp; Company

502-33 Harbour Square

Toronto, ON M5J 2G2

CANADA

BILLING ADDRESS

502-33 Harbour Square

Toronto, ON

M5J 2G2

Fraser, Marion

**DETAIL OF UNBILLED TIME**

<u>DATE</u>	<u>TIME ID</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
12/Jun/13	2245571	415 TB	1.00	330.00	330.00	Reviewing evidence; Preparation of intervention letter
17/Jun/13	2246527	415 TB	0.50	330.00	165.00	Reviewing comments; Preparing submission
TOTAL TIME			1.50		495.00	

**DETAIL OF UNBILLED DISBURSEMENTS**

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
18/Jul/13	5203610	7		19.98	12:03 TB Courier: Blizzard# 6236831 Ontario Energy Board 2300 Yonge St ChrMaine
TOTAL DISB				19.98	

Filter

Disb ID

5203610

Disbursement Details

Client	F1588	Fraser _Company
Matter	133967	BOMA – Regional Infrastructure Planning
Entry Empl	AP	Parusis, Tony
Auth Empl		
Disb Empl		
Billed Empl		
Disb Office	FOGR	Fogler, Rubinoff LLP
Office	FOGR	Fogler, Rubinoff LLP
Dept	LITN	Litigation
Profit Center	GEN	General Profit Centre
Project		

Std Amt	\$18.15	Currency Code	CDN
Base Amt	\$18.15	Base Qty	0.000000
Tobill Amt	\$19.98		
Billed Amt	\$19.98	Bill Qty	0.000000

Narrative

12:03 TB Courier: Blizzard# 6236831 Ontario Energy Board 2300 Yonge St ChrMaine



Appendix B

DOCKET

EB-2013-0192 OPA License			BOMA Toronto				
Board File Number	Party Name						
Date	Explanation	Consultant	Preparation	Fraser & Company			Total
				Attendance TC	Attendance SC	Attendance OH	Argument
Jun-17	Comments	MEF	2				
Total			2	0	0	0	0

2  
0  
0  
0  
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0  
2

# Ontario Energy Board COST CLAIM FOR HEARINGS



## Affidavit and Summary of Fees and Disbursements

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### Instructions

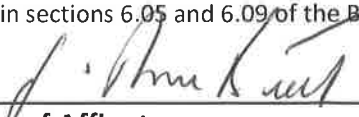
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Rate: \_\_\_\_\_ Country: \_\_\_\_\_
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- A CV for each consultant must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
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File # EB- <u>2013-0192</u>	Process: <u>Amendments to OPA Licence EO-2010-0220</u>
Party: <u>BOMA</u>	Affiant's Name: <u>Tom Brett</u>
HST Number: <u>R119420859</u>	HST Rate Ontario: <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, Tom Brett, of the City/Town of Toronto  
in the Province/State of Ontario, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

  
\_\_\_\_\_  
Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,  
in the Province/State of Ontario, on Oct.24/13,  
(date)

  
\_\_\_\_\_  
Commissioner for taking Affidavits

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



File # EB- 2013-0192

Process: Amendments to OPA Licence EO-2010-0220

Party: BOMA

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$1,155.00
Disbursements	19.98
HST	152.75
<b>Total Cost Claim</b>	<b>\$1,327.73</b>

# Ontario Energy Board COST CLAIM FOR HEARINGS



## Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0192</u>	Process: <u>Amendments to OPA Licence EO-2010-0220</u>
Party: <u>BOMA</u>	Name: <u>Tom Brett</u>
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	Completed Years Practising/Years of relevant experience <u>35</u>
Consultant: <input type="checkbox"/>	<u>                    </u>
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

### Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	1.50	\$330.00	\$495.00	\$64.35	\$559.35
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
<b>TOTAL LEGAL/CONSULTANT FEES</b>			<b>\$495.00</b>	<b>\$64.35</b>	<b>\$559.35</b>

### 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	\$19.98	\$2.60	\$22.58
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
<b>TOTAL DISBURSEMENTS:</b>	<b>\$19.98</b>	<b>\$2.60</b>	<b>\$22.58</b>

# Ontario Energy Board COST CLAIM FOR HEARINGS



## Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0192</u>	Process: <u>Amendments to OPA Licence EO-2010-0220</u>
Party: <u>BOMA</u>	Name: <u>Marion Fraser</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	_____
	33
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

### Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	2.00	\$330.00	\$660.00	\$85.80	\$745.80
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
<b>TOTAL LEGAL/CONSULTANT FEES</b>			<b>\$660.00</b>	<b>\$85.80</b>	<b>\$745.80</b>

### 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
<b>TOTAL DISBURSEMENTS:</b>		<b>\$0.00</b>	<b>\$0.00</b>

**F1588**  
Fraser & Company

CLIENT LAWYER: Brett, Thomas  
MATTER\_LAWYER: Brett, Thomas

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

PAYOR: F1588 MAIN  
BILL: F1588 MAIN

**133967**  
BOMA – Regional Infrastructure  
Planning - Notice of Proposal to  
Amend the Licence of the Ontario  
Power Authority; Board File No.  
EB-2013-0192

**LAWYER ON BILL: Brett, Thomas**  
LAST BILL DATE: NONE

ACCOUNT APPROVAL

Thomas Brett

FINAL BILL: MATTER WILL BE MADE INACTIVE

**UNBILLED TIME**

<u>LAST ENTRY</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>	<u>FEE CREDIT ALLOCATION</u>	<u>CODE</u>	<u>INIT</u>
17/Jun/13	Thomas Brett	1.50	495.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		1.50	495.00	<input type="checkbox"/> WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

**UNBILLED DISBURSEMENTS**

<u>LAST ENTRY</u>	<u>CODE</u>	<u>DISB. TYPE</u>	<u>GST</u>	<u>AMOUNT</u>	<u>UNBILLED W/O</u>	<u>ANTICIPATED</u>	<u>TOTAL THIS BILL</u>
18/Jul/13	7	Courier & Delivery	Y	19.98			
TOTAL UNBILLED DISB				19.98	<input type="checkbox"/> WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

**TRUST SUMMARY** – A Trust was not opened on this Matter

F1588 **133967**  
 Fraser & Company  
 BOMA – Regional Infrastructure Planning  
 - Notice of Proposal to Amend the  
 Licence of the Ontario Power Authority;  
 Board File No. EB-2013-0192  
 Prebill No.: 711394  
 Session ID: 399520

LAST BILL DATE: NONE  
 LAST BILLED TO DATE: NONE  
 FILE LAWYER: Brett, Thomas  
 ASSIGNED LAWYER: Brett, Thomas

CLIENT ADDRESS  
 Fraser & Company  
 502-33 Harbour Square  
 Toronto, ON M5J 2G2  
 CANADA

BILLING ADDRESS  
 502-33 Harbour Square  
 Toronto, ON  
 M5J 2G2  
 Fraser, Marion

**DETAIL OF UNBILLED TIME**

<u>DATE</u>	<u>TIME ID</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
12/Jun/13	2245571	415 TB	1.00	330.00	330.00	Reviewing evidence; Preparation of intervention letter
17/Jun/13	2246527	415 TB	0.50	330.00	165.00	Reviewing comments; Preparing submission
TOTAL TIME			1.50		495.00	

**DETAIL OF UNBILLED DISBURSEMENTS**

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
18/Jul/13	5203610	7		19.98	12:03 TB Courier: Blizzard# 6236831 Ontario Energy Board 2300 Yonge St ChrMaine
TOTAL DISB				19.98	

Filter

Disb ID

5203610

Disbursement Details

Client	F1588	Fraser _Company
Matter	133967	BOMA – Regional Infrastructure Planning
Entry Empl	AP	Parusis, Tony
Auth Empl		
Disb Empl		
Billed Empl		
Disb Office	FOGR	Fogler, Rubinoff LLP
Office	FOGR	Fogler, Rubinoff LLP
Dept	LITN	Litigation
Profit Center	GEN	General Profit Centre
Project		

Std Amt	\$18.15	Currency Code	CDN
Base Amt	\$18.15	Base Qty	0.000000
Tobill Amt	\$19.98		
Billed Amt	\$19.98	Bill Qty	0.000000

Narrative

12:03 TB Courier: Blizzard# 6236831 Ontario Energy Board 2300 Yonge St ChrMaine



Appendix B

DOCKET

Board File Number		EB-2013-0192 OPA License		Party Name		BOMA Toronto				
Date	Explanation	Consultant	Preparation	Fraser & Company		Attendance TC	Attendance SC	Attendance OH	Argument	Total
Jun-17	Comments	MEF	2							
Total			2	0	0	0	0	0	0	0

2  
0  
0  
0  
0  
0  
2