

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>2013-0040 & 2013-0041</u>	Process: <u>Bornish, Kerwood and Jericho Wind Projects</u>
Party: <u>Group of Intervenors</u>	Affiant's Name: <u>Graham Andrews</u>
HST Number: _____	HST Rate Ontario: <u>13.00%</u>
Full Registrant <input type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	


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.


Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,
in the Province/State of Ontario, on November-19-13.
(date)


Commissioner for taking Affidavits

Commissioner, etc.,
Province of Ontario, for Douglas M. Cunningham,
Barristers and Solicitors.

Expires July 12, 2014.

Anna MacIsaac, a Commissioner, etc.,
Province of Ontario, for Douglas M. Cunningham,
Barristers and Solicitors.
Expires July 12, 2014.

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Affidavit and Summary of Fees and Disbursements

File # EB- 2013-0040 & 2013-0041 **Process:** Bornish, Kerwood and Jericho Wind Projects

Party: Group of Intervenors

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$8,613.00
Disbursements	\$0.00
HST	\$1,119.69
Total Cost Claim	\$9,732.69

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Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0040 & 2013-0041</u>	Process: <u>Bornish, Kerwood and Jericho Wind Projects</u>
Party: <u>Group of Intervenors</u>	Name: <u>Eric K. Gillespie</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	17
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	0.80	\$290.00	\$232.00	\$30.16	\$262.16
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			\$232.00	\$30.16	\$262.16

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>2013-0040 & 2013-0041</u>	Process: <u>Bornish, Kerwood and Jericho Wind Projects</u>
Party: <u>Group of Intervenors</u>	Name: <u>Graham Andrews</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	1
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	45.70	\$170.00	\$7,769.00	\$1,009.97	\$8,778.97
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			\$7,769.00	\$1,009.97	\$8,778.97

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>2013-0040 & 2013-0041</u>	Process: <u>Bornish, Kerwood and Jericho Wind Projects</u>
Party: <u>Group of Intervenors</u>	Name: <u>Natalie Smith</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	2.20	\$170.00	\$374.00	\$48.62	\$422.62
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			\$374.00	\$48.62	\$422.62

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>2013-0040 & 2013-0041</u>	Process: <u>Bornish, Kerwood and Jericho Wind Projects</u>
Party: <u>Group of Intervenors</u>	Name: <u>David Hwang</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	1
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	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

EB-2013-0040 EB-2013-0041 - Bornish, Kerwood and Jericho Projects - Application for Leave to Construct

<u>Date</u>	<u>Lwyr</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>	<u>Explanation</u>
3/5/2013	GA	0.50	170.00	85.00	Review documents including application submitted to OEB
3/12/2013	GA	1.10	170.00	187.00	Drafting letter for OEB and sending to clients re intervenor status; discussion with clients re intervenor status
3/13/2013	EKG	0.50	290.00	145.00	Telephone call with B. Alexander; review of related e-mails; discussions with clients and G. Andrews.
3/21/2013	GA	2.20	170.00	374.00	Correspondence to OEB re oral hearing; email to clients re draft letters for status request
3/21/2013	EKG	0.30	290.00	87.00	Attendance at discussion with G. Andrews re OEB issues
3/22/2013	GA	0.20	170.00	34.00	Telephone call with clients re letters for intervenors
4/2/2013	GA	0.50	170.00	85.00	Correspondence from J. Myers re form of hearing and intervenors; discussion with clients re same
4/15/2013	GA	0.30	170.00	51.00	Correspondence from clients re OEB order; left voicemail in response
4/15/2013	GA	0.50	170.00	85.00	Review documents including OEB Procedural Order 1
4/18/2013	GA	0.60	170.00	102.00	Telephone call with clients re OEB next steps
4/19/2013	GA	0.60	170.00	102.00	Telephone call with clients re OEB proceedings
4/22/2013	GA	1.60	170.00	272.00	Drafting letters to OEB re Group contact details; email to client; reply from same; telephone call with client rep
4/23/2013	GA	0.50	170.00	85.00	Review documents including Procedural Order 2; discussion with clients re same
5/1/2013	GA	0.80	170.00	136.00	Correspondence from client rep re OEB interrogatories; reply to same
5/6/2013	GA	3.10	170.00	527.00	Telephone call with client rep OEB proceedings; drafting of OEB Interrogatories; service of same
5/7/2013	GA	0.10	170.00	17.00	Correspondence from J. Myers re OEB Interrogatories; reply to same
5/14/2013	GA	0.20	170.00	34.00	Correspondence from OEB re Middlesex Interrogatories
5/22/2013	GA	0.60	170.00	102.00	Review documents including Procedural Order 3; telephone call with clients re same and next steps
5/23/2013	GA	0.50	170.00	85.00	Correspondence from J. Myers re Bornish OEB submissions; review of same
5/27/2013	GA	0.40	170.00	68.00	Telephone call with client rep re OEB submissions; review of submissions
5/29/2013	GA	0.40	170.00	68.00	Review documents including procedural Order 4; discussion of same with clients
6/3/2013	GA	3.40	170.00	578.00	Drafting submissions re evidence for OEB application; review of same with clients
6/6/2013	GA	2.10	170.00	357.00	Review documents filed by County in OEB application proceeding; discussion of same with clients

EB-2013-0040 EB-2013-0041 - Bornish, Kerwood and Jericho Projects - Application for Leave to Construct

<u>Date</u>	<u>Lwyr</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>	<u>Explanation</u>
6/14/2013	GA	2.10	170.00	357.00	Correspondence from client rep re OEB submissions; review of same
6/26/2013	NS	2.00	170.00	340.00	Correspondence from client rep re: responding to interrogatories and re: seeking extension of time to respond; call with client rep re: same; e-mail correspondence with client rep re: same; review of documents on OEB website re: same; discussion with E. Gillespie re: same; call to client rep re: same; e-mail to client rep re: same; call with client rep re: same; e-mail to V. Binnette at OEB re: extension of time to respond to interrogatories; drafted letter to OEB Board Secretary re: same; sent e-mail to all parties re: same
7/2/2013	DH	1.40	170.00	238.00	Drafting response to Interrogatories per Procedural Order 6; service of same
7/8/2013	GA	2.90	170.00	493.00	Correspondence from Counsel and parties re Bornish OEB matter; review of same
7/8/2013	NS	0.20	170.00	34.00	Attendance at discussion with G. Andrews re. OEB refusing to grant extension for answering interrogatories.
7/26/2013	GA	0.40	170.00	68.00	Correspondence from client rep re OEB filings; call with same re same
7/26/2013	GA	0.40	170.00	68.00	Review documents including Procedural Order 7; discussion with clients
8/8/2013	GA	0.40	170.00	68.00	Telephone call with client rep re OEB submissions
8/9/2013	GA	0.20	170.00	34.00	Correspondence from County re Procedural Order clarification
8/12/2013	GA	0.10	170.00	17.00	Correspondence from client rep re Bornish OEB appeal and drafting of letters from Group
8/23/2013	GA	0.60	170.00	102.00	Review documents including procedural Order 8; discussion with clients
9/10/2013	GA	0.30	170.00	51.00	Correspondence from Hydro One re Bornish OEB hearing; discussion of same with client rep
9/11/2013	GA	2.10	170.00	357.00	Review documents submitted for OEB Bornish proceeding
9/16/2013	GA	1.90	170.00	323.00	Correspondence from J. Myers re Bornish OEB hearing; discussion with client rep re same; correspondence to OEB and parties re Group cross and witnesses
9/17/2013	GA	2.10	170.00	357.00	Preparation of cross-examination issues and questions for hearing; correspondence to clients re same; correspondence to OEB re same
9/19/2013	GA	0.40	170.00	68.00	Review documents including Procedural Order 9; discussion with clients of implications
9/30/2013	GA	2.90	170.00	493.00	Drafting questions from Group re Procedural Order 9; serving same on OEB and Applicant; discussion with clients re same
10/4/2013	GA	2.80	170.00	476.00	Correspondence to clients re questions for submission to OEB; discussion of same; review of Applicant's Argument-in-Chief; review of Procedural Order 10

EB-2013-0040 EB-2013-0041 - Bornish, Kerwood and Jericho Projects - Application for Leave to Construct

<u>Date</u>	<u>Lwyr</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>	<u>Explanation</u>
10/9/2013	GA	0.90	170.00	153.00	Correspondence from client re re issues; response to same; drafting of Final Submissions for OEB
10/10/2013	GA	3.20	170.00	544.00	Drafting final submissions for OEB proceeding; correspondence with clients re same; review of documents from Applicant; telephone calls with client re same
10/18/2013	GA	1.10	170.00	187.00	Correspondence from J. Myers re Bornish OEB Reply Argument; review of same
11/12/2013	GA	0.70	170.00	119.00	Review documents including Decision and Order; discussion with clients re same and costs submissions
11/19/2013	GA	2.10	170.00	357.00	Drafting cost submissions for Group of Intervenor; review dockets, etc.