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January 7, 2014

BY EMAIL & COURIER

Ms Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge St, Suite 2701  
Toronto ON M4P 1E4

Dear Ms Walli:

**Board File No. EB-2012-0064 Toronto Hydro-Electric System Limited  
2012-2014 IRM Rates Adjustments and ICM Adders Application --- Phase 2  
Energy Probe – Costs Submission**

Pursuant to direction from the Board during the Hearing on December 19, 2013, please find attached the Costs Submission of Energy Probe Research Foundation (Energy Probe) with respect to Phase 2 of the proceeding for the consideration of the Board.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh  
Case Manager

cc: Rob Barrass, Toronto Hydro-Electric System Limited (By email)  
Amanda Klein, Toronto Hydro-Electric System Limited (By email)  
Fred Cass, Aird & Berlis LLP (By email)  
Roger Higgin, Consultant to Energy Probe (By email)  
Peter Faye, Counsel to Energy Probe (By email)

**Energy Probe Research Foundation** 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: [EnergyProbe@nextcity.com](mailto:EnergyProbe@nextcity.com) Internet: [www.EnergyProbe.org](http://www.EnergyProbe.org)

**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.

<b>File # EB-</b> <u>2012-0064 Phase 2</u>	<b>Process:</b> <u>Toronto Hydro-Electric Limited IRM/ICM</u>
<b>Party:</b> <u>Energy Probe Research Foundation</u>	<b>Affiant's Name:</b> <u>Annetta Turner</u>
<b>HST Number:</b> <u>10730 5146 RT0001</u>	<b>HST Rate Ontario:</b> <u>6.50%</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, Annetta Turner, of the City/Town of Toronto  
in the Province/State of Ontario, Canada, 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 \_\_\_\_\_,  
in the Province/State of \_\_\_\_\_, on \_\_\_\_\_,  
\_\_\_\_\_  
(date)

**Commissioner for taking Affidavits**

File # EB- 2012-0064 Phase 2

Process: Toronto Hydro-Electric System 2012-14 IRM Rate

Party: Energy Probe Research Foundation

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$18,317.50
Disbursements	40.00
HST	1,193.24
<b>Total Cost Claim</b>	<b>\$19,550.74</b>

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0064 Phase 2</u>	Process: <u>Toronto Hydro-Electric System 2012-14 IRM Rate</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>Peter Faye</u>
	Completed Years Practising/Years of relevant experience
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	Year of Call 2005
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	5.00	\$230.00	\$1,150.00	\$74.75	\$1,224.75
Attendance - Technical Conference		\$230.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	24.00	\$230.00	\$5,520.00	\$358.80	\$5,878.80
Attendance - Oral Hearing		\$230.00	\$0.00	\$0.00	\$0.00
Argument		\$230.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>					
			\$6,670.00	\$433.55	\$7,103.55

#### 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>			
	\$0.00	\$0.00	\$0.00

## Peter T. Faye, Barrister & Solicitor

# INVOICE

42 Eastwood Cres  
Markham, Ontario, L3P 5Z7  
Phone 905-294-2013

DATE: Jan 5, 2014

**Bill To:**

Energy Probe Research Foundation  
225 Brunswick Ave.  
Toronto ON M5S 2M6  
Attn: David MacIntosh - Case Manager

**For:**

Legal Counsel to Energy Probe  
RE: OEB Hearing EB-2012-0064  
THESL IRM/ICM Phase 2

DESCRIPTION	HOURS	RATE	AMOUNT
Dec 4-13 Prep for Settlement Conference day 1	2.0		
Dec 5-13 Attend Settlement Conference day 1	6.5		
Dec 5-13 Prep for Settlement Conference day 2	1.0		
Dec 6-13 Attend Settlement Conference day 2	8.5		
Dec 13-13 Review draft settlement, provide comments	1.0		
Dec 16-13 Conference call re settlement agreement	1.0		
Dec 16-13 Review draft settlement consult with EPRF	1.0		
Dec 17-13 Conference calls intervenors and THESL	4.0		
Dec 18-13 Conference calls re final agreement	4.0		
Total hours billed	29.0	\$230.00	\$6670.00
GST (registration # 826908766RT0001)		13%	\$867.10
TOTAL			\$7537.10

Please make cheque to Peter T. Faye

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <b>2012-0064 Phase 2</b>	Process: <b>Toronto Hydro-Electric System 2012-14 IRM Rate:</b>
Party: <b>Energy Probe Research Foundation</b>	Name: <b>Peter Faye</b>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	_____
Consultant: <input checked="" type="checkbox"/>	28+
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

#### Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	13.50	\$330.00	\$4,455.00	\$289.58	\$4,744.58
Attendance - Technical Conference	4.00	\$330.00	\$1,320.00	\$85.80	\$1,405.80
Attendance - Settlement Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing		\$330.00	\$0.00	\$0.00	\$0.00
Argument		\$330.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>					
			\$5,775.00	\$375.38	<b>\$6,150.38</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>			
	\$0.00	\$0.00	<b>\$0.00</b>

**Peter T. Faye, P.Eng, MBA**

# INVOICE

42 Eastwood Cres  
Markham, Ontario, L3P 5Z7  
Phone 905-294-2013

DATE: Jan 5/14

**Bill To:**

Energy Probe Research Foundation  
225 Brunswick Ave.  
Toronto ON M5S 2M6  
Attn: David MacIntosh - Case Manager

**For:**

Consultant to Energy Probe Research Foundation  
RE: OEB Proceeding EB-2012-0064  
THESL IRM/ICM Phase 2

DESCRIPTION	HOURS	RATE	AMOUNT
Sep 26-13 Mtg EPRF discuss application take instructions	0.5		
Sep 29-13 Review Partial Decision prep submissions on Issues list	2.0 1.0		
Oct 27-13 Review Staff IRs			
Oct 28-13 Review evidence, prepare IRs	6.5		
Oct 29-13 Review evidence, prepare IRs	1.0		
Nov 24-13 Review IRRs, prep issues for Tech Conference	1.5		
Nov 25-13 Prep for Tech Conference	1.0		
Nov 26-13 Attend Tech Conference	4.0		
 Total hours billed	 17.5	 \$330.00	 \$5775.00
 GST (registration # 826908766RT0001)		 13%	 750.75
TOTAL			\$6525.75

Please make cheque to **Peter T. Faye**

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <u>2012-0064 Phase 2</u>	Process: <u>Toronto Hydro-Electric System 2012-14 IRM Rate</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>David MacIntosh</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	<u>                    </u>
Consultant: <input checked="" type="checkbox"/>	<u>14</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	10.75	\$290.00	\$3,117.50	\$202.64	\$3,320.14
Attendance - Technical Conference	1.50	\$290.00	\$435.00	\$28.28	\$463.28
Attendance - Settlement Conference	5.50	\$290.00	\$1,595.00	\$103.68	\$1,698.68
Attendance - Oral Hearing	1.75	\$290.00	\$507.50	\$32.99	\$540.49
Argument		\$290.00	\$0.00	\$0.00	\$0.00
Case Management	0.75	\$170.00	\$127.50	\$8.29	\$135.79
<b>TOTAL LEGAL/CONSULTANT FEES</b>					
			\$5,782.50	\$375.86	\$6,158.36

#### 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	\$40.00	included	\$40.00
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>			
	\$40.00	\$0.00	\$40.00



**Time Sheet for D. MacIntosh****Board File: EB-2012-0064 THESL 2012-14 IRM Rates Phase 2****Summary: Hours**

Preparation	<b>10.75</b>
Attend. Tech.	<b>1.50</b>
Attend. ADR	<b>5.50</b>
Attend. Hearing	<b>1.75</b>
Argument Prep.	<b>0.00</b>
Case Mngt. (CM)	<b>0.75</b>
<b>Total</b>	<b>20.25</b>

**Date Hours Note**

28-Aug-13	2.25	prep - Review Evidence Update of Toronto Hydro, Initial Review
26-Sep-13	0.50	prep - Meeting With Consultant re Strategy
29-Sep-13	0.50	prep - Draft Letter, Comments on Phase 2 Issues List
19-Oct-13	0.50	prep - Review Issues Day Submissions & Issues List Decision
29-Oct-13	1.25	prep - Draft Interrogatories
25-Nov-13	0.25	prep - Draft Letter to Board re Technical Conference Issues
02-Dec-13	2.50	prep - Prepare for Settlement Conference
16-Dec-13	1.75	prep - Consultations With Counsel, Consultant, Many Emails
18-Dec-13	1.25	prep - Prepare for Oral Hearing
<b>Total</b>	<b>10.75</b>	<b>Preparation</b>

**Date Hours Note**

27-Nov-13	1.50	Attend Technical Conference
<b>Total</b>	<b>1.50</b>	<b>Attendance -Technical Conference</b>

**Date Hours Note**

05-Dec-13	5.50	Attend ADR Day 1
<b>Total</b>	<b>5.50</b>	<b>Attendance - Settlement Conference</b>

Date	Hours	Note
19-Dec-13	1.75	Attend Hearing, Settlement Presentation
<b>Total</b>	<b>1.75</b>	<b>Attendance - Hearing</b>

Date	Hours	Note
30-Sep-13	0.25	CM - File Letter to Board, Draft Phase 2 Issues List Comments
29-Oct-13	0.25	CM - File Interrogatories Phase 2
25-Nov-13	0.25	CM - File Letter to Board, Issues for Clarification Technical Conference
<b>Total</b>	<b>0.75</b>	<b>Case Management</b>

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RECEIPT
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CAR PARK: Yonge & Eglinton Ctr
DEVICE: Paystation 4
PAID: 27/11/13 03:40P

SHORT TERM 029698
ENTRY: 27/11/13 09:24A
EXIT: 27/11/13 03:44P
PARKING DURATION: 000 05:16
CHARGED DURATION: 000 02:40

PAID: CAD20.00
TAX FREE CAD17.70
V.A.T. 13% : CAD2.30
CASH PAYMENTS: CAD20.00
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RECEIPT
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DEVICE: Paystation 4
PAID: 05/12/13 05:06P

SHORT TERM 030841
ENTRY: 05/12/13 09:24A
EXIT: 05/12/13 05:09P
PARKING DURATION: 000 07:42
CHARGED DURATION: 000 02:40

PAID: CAD20.00
TAX FREE CAD17.70
V.A.T. 13% : CAD2.30
CASH PAYMENTS: CAD20.00
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