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February 18, 2014

BY EMAIL & COURIER

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

Dear Ms. Walli:

**Board File No. EB-2013-0046 – Enbridge Gas Distribution Inc.  
2012 ESM and Deferral Account Disposition  
Energy Probe – Costs Submission**

Pursuant to the Decision and Order issued February 6, 2014, attached please find the Costs Submission of Energy Probe Research Foundation (Energy Probe) in the EB-2013-0046 proceeding for consideration by the Board.

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

Yours truly,

David S. MacIntosh  
Case Manager

cc: Norm Ryckman, Enbridge Gas Distribution Inc. (By email)  
Fred Cass, Aird & Berlis LLP (By email)  
Randy Aiken, Aiken & Associates (By email)  
Interested Parties (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>2013-0046</u>	<b>Process:</b> <u>Enbridge Gas Distribution 2012 ESM Application</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- 2013-0046

Process: Enbridge Gas Distribution 2012 ESM Applicat

Party: Energy Probe Research Foundation

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$9,620.50
Disbursements	38.00
HST	625.33
<b>Total Cost Claim</b>	<b>\$10,283.83</b>

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0046</u>	Process: <u>Enbridge Gas Distribution 2012 ESM App.</u>
Party: <u>Energy Probe Research Foundation</u>	Name: <u>Randy Aiken</u>
Completed Years Practising/Years of relevant experience <hr/> <div style="display: flex; justify-content: space-around;"> <div>           Counsel/Articling Student/Paralegal: <input type="checkbox"/>            Consultant: <input checked="" type="checkbox"/>            CV attached: <input type="checkbox"/> </div> <div>           CV not required: <input checked="" type="checkbox"/> </div> </div>	

#### Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	7.40	\$330.00	\$2,442.00	\$158.73	\$2,600.73
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	5.00	\$330.00	\$1,650.00	\$107.25	\$1,757.25
Attendance - Oral Hearing		\$330.00	\$0.00	\$0.00	\$0.00
Argument	4.10	\$330.00	\$1,353.00	\$87.95	\$1,440.95
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>					
			\$5,445.00	\$353.93	\$5,798.93

#### 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

**AIKEN & ASSOCIATES**

INVOICE NO. 003-2014  
DATE February 7, 2014  
HST REGISTRATION NO. 130417983

PROJECT
EB-2013-0046 - Enbridge Gas Distribution Inc. 2012 Earnings Sharing & Deferral Accounts
Page 1 of 2

[illegible]

Make all cheques payable to AIKEN & ASSOCIATES  
Payment is due upon receipt of payment for the project

PROJECT				
EB-2013-0046 - Enbridge Gas Distribution Inc. 2012 Earnings Sharing & Deferral Accounts				
Page 2 of 2				

DATE	HOURS	DESCRIPTION	RATE	TOTAL
<u>EXPENSES</u>				
<u>Travel - Car</u>				
		Sub-Total - Travel - Car		0.00
<u>Travel - Other</u>				
		Sub-Total - Travel - Other		0.00
<u>Accommodation</u>				
		Sub-Total - Accommodation		0.00
<u>Meals</u>				
		Sub-Total - Meals		0.00
<u>SUMMARY</u>		<u>TOTAL FEES AND EXPENSES</u>		5,445.00
		<u>HST DETAIL</u>		
		Consulting Fees (@ 13.0%)		707.85
		Travel - Car (@ 13.0%)		0.00
		Travel - Other (as per receipts)		0.00
		Accommodation (as per receipts)		0.00
		Meals (as per receipts)		0.00
		<u>TOTAL HST</u>		707.85
			SUBTOTAL	5,445.00
			H.S.T.	707.85
			TOTAL	\$6,152.85

Make all cheques payable to AIKEN & ASSOCIATES  
Payment is due upon receipt of payment for the project

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <b>2013-0046</b>	Process: <b>Enbridge Gas Distribution 2012 ESM App.</b>
Party: <b>Energy Probe Research Foundation</b>	Name: <b>David MacIntosh</b>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	
Consultant: <input checked="" type="checkbox"/>	<b>14</b>
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

#### Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	4.50	\$290.00	\$1,305.00	\$84.83	\$1,389.83
Attendance - Technical Conference		\$290.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	5.00	\$290.00	\$1,450.00	\$94.25	\$1,544.25
Attendance - Oral Hearing	3.00	\$290.00	\$870.00	\$56.55	\$926.55
Argument	1.25	\$290.00	\$362.50	\$23.56	\$386.06
Case Management	1.00	\$170.00	\$170.00	\$11.05	\$181.05
<b>TOTAL LEGAL/CONSULTANT FEES</b>					
			\$4,157.50	\$270.24	\$4,427.74

#### 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	\$38.00	included	\$38.00
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>			
	\$38.00	\$0.00	\$38.00

**Time Sheet for D. MacIntosh****Board File: EB-2013-0046 EGD 2012 ESM & Deferral + Variance Accounts****Summary: Hours**

Preparation	<b>4.50</b>
Attend. Tech.	<b>0.00</b>
Attend. ADR	<b>5.00</b>
Attend. Hearing	<b>3.00</b>
Argument Prep.	<b>1.25</b>
Case Mngt. (CM)	<b>1.00</b>

<b>Total</b>	<b>14.75</b>
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**Date Hours Note**

14-Jun-13	0.75	prep - Review Prefiled Evidence
14-Jun-13	0.25	prep - Draft Notice of Intervention Ltr
02-Jul-13	0.50	prep - Draft Interrogatories
20-Jul-13	0.75	prep - Review Interrogatory Responses, Prepare for ADR
23-Jul-13	0.75	prep - Review Consultant's Notes for ADR
30-Jul-13	0.75	prep - Review Draft Settlement Proposal, Emails
02-Aug-13	0.25	prep - Review Draft Settlement Proposal, Emails, Sign Off
18-Sep-13	0.50	prep - Prepare For Hearing

<b>Total</b>	<b>4.50</b>	<b>Preparation</b>
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**Date Hours Note**

24-Jul-13	5.00	Attend Settlement Conference
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<b>Total</b>	<b>5.00</b>	<b>Attendance - Settlement Conference</b>
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**Date Hours Note**

20-Sep-13	3.00	Attend Hearing
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<b>Total</b>	<b>3.00</b>	<b>Attendance - Hearing</b>
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**Date Hours Note**

13-Oct-13	0.75	Arg - Draft Argument
07-Feb-14	0.50	Arg - Review Decision and Order

<b>Total</b>	<b>1.25</b>	<b>Argument Preparation</b>
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Date	Hours	Note
14-Jun-13	0.25	CM - File Notice of Intervention
13-Jul-13	0.25	CM - Check & File Interrogatoriess
13-Oct-13	0.25	CM - Circulate Draft Argument to Intervenors
18-Oct-13	0.25	CM - File Argument
<b>Total</b>	<b>1.00</b>	<b>Case Management</b>

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*****
***** RECEIPT *****
*****
CAR PARK: Yonge & Eglinton Ctr
DEVICE: Paystation 4
PAID: 24/07/13 03:50P
SHORT TERM 016974
ENTRY: 24/07/13 08:56A
EXIT: 24/07/13 03:51P
PARKING DURATION: 000 06:54
CHARGED DURATION: 000 02:20
PAID: CAD18.00
TAX FREE CAD15.93
V.A.T. 13% : CAD2.07
CASH PAYMENTS: CAD20.00
GIVEN CAD2.00
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*****
***** RECEIPT *****
*****
CAR PARK: Yonge & Eglinton Ctr
DEVICE: Paystation 4
PAID: 20/09/13 01:20P
SHORT TERM 022101
ENTRY: 20/09/13 09:24A
EXIT: 20/09/13 01:24P
PARKING DURATION: 000 03:56
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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