

AIRD & BERLIS LLP

Barristers and Solicitors

Scott Stoll
Direct: 416.865.4703
E-mail: sstoll@airdberlis.com

April 2, 2014

BY COURIER, EMAIL AND RESS

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

Dear Ms. Walli:

Re: EB-2012-0406 / EB-2013-0081
Reply Submissions of Integrated Grain Processors Cooperative Inc.

We are counsel to Integrated Grain Processors Cooperative Inc. ("IGPC").

We enclose two copies of the Reply Submissions of IGPC to Natural Resource Gas Limited's ("NRG") calculation of the amount to be paid by NRG to IGPC pursuant to the Board's Decision and Order dated February 27, 2014.

Yours truly,

AIRD & BERLIS LLP



Scott Stoll
Enclosures

17575413.1

ONTARIO ENERGY BOARD

IN THE MATTER OF THE *Ontario Energy Board Act 1998*,
S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an Application by Integrated Grain Processors Co-operative Inc., pursuant to section 42(3) of the Ontario Energy Board Act, 1998, for an order requiring Natural Resource Gas Limited to provide gas distribution service

AND IN THE MATTER OF an Order to review capital contribution costs paid by Integrated Grain Processors Co-operative Inc., to Natural Resource Gas Limited pursuant to Sections 19 and 36 of the *Ontario Energy Board Act*, 1998.

**REPLY SUBMISSIONS OF
INTEGRATED GRAIN PROCESSORS CO-OPERATIVE INC. (“IGPC”)**

INTRODUCTION

- 1) IGPC is responding to the submissions of Natural Resource Gas Limited (“**NRG**”) regarding the calculation of certain costs ordered by the Board as part of its Decision and Order in this matter dated February 27, 2014 (the “**Decision**”). In the Decision, the Board directed NRG to make submissions regarding certain costs based upon the Board’s findings. However, NRG has ignored the requirements of the Decision and framed its submissions as a motion to review and vary the Decision. Further, NRG’s calculation of the cost of interest during construction and the interest on the payment provided in Schedule A do not accord with the Decision and are not properly addressed in its submissions.
- 2) IGPC takes NRG’s silence regarding the rejection of the costs claimed for Mark Bristoll (\$385,045) and the insurance (\$62,000) as acceptance of the Decision in that regard. As such no comment will be made on those subjects.

- 3) As such, IGPC has provided a detailed response to the following issues: legal and contingency costs, interest during construction, interest on the payment, and the provision of financial assurance.
- 4) The total amount owed by NRG to IGPC is \$1,150,463 as broken down in the line items provided in Table 1.

Table 1 Summary of Capital Expenditure Changes

Item	NRG Submission Disallowed Costs	IGPC Submission Disallowed Costs
Emergency Motion	\$68,725	\$94,800
Letter of Credit Motion	\$91,554	\$82,554
Contingency/Legal	132,000	\$197,643
Mark Bristoll	\$385,045	\$385,045
Insurance	\$62,000	\$62,000
Interest During Construction	\$18,671	\$36,573
Other Legal	\$0	\$0
Auditor	\$0	\$0
Project Management	\$0	\$0
Total	\$757,995	\$858,615
Interest on Payment	\$124,634	\$141,848
Financial Assurance Over	\$150,000	\$150,000
Total Amount Owning	\$1,032,629	\$1,150,463

LEGAL COSTS

- 5) The Board's Decision disallowed the legal costs for the Emergency Motion of \$94,800 and Letter of Credit Motion \$82,554 and legal costs post construction of the IGPC Pipeline of \$197,643.¹ This represents a total disallowance of \$374,997. NRG's submissions only acknowledge a disallowance of \$292,279. The foundational principle behind the Board's Decision is that costs not associated with the construction of the IGPC Pipeline are not proper to include in the Actual Capital Cost of the IGPC Pipeline.
- 6) The shell game of moving costs and obfuscation of the real issue by NRG has continued through its submissions.

¹ Decision, page 13.

- 7) With respect to the Emergency Motion, the amount of \$94,800 is appropriate. In reviewing the invoices from NRG's legal counsel for the Emergency Motion and subsequent appeal, which was abandoned, it can be seen that the amount of legal costs exceed the amount disallowed by the Board. However, the Board's Decision is clear that costs not associated with the construction of the IGPC Pipeline are not proper to include in the Actual Capital Cost of the Pipeline.
- 8) NRG's submission of \$68,825 does not even cover Mr. Thacker's costs related to the Emergency Motion and the appeal to Divisional Court therefrom, let alone the additional costs of Mr. King and Mr. Moran. Table 2 below summarizes certain of the NRG claimed legal costs in respect of the Emergency Motion.
- 9) In addition, Mr. King and Mr. Moran of Ogilvy Renault had significant time and costs related to the Emergency Motion. A quick review of the relevant invoices totals more than \$25,966 in legal fees related to the Emergency Motion.
- 10) IGPC identified more than \$96,919 in NRG claimed legal costs related to the Emergency Motion. As such, the Board's finding to disallow \$94,800 in this regard is conservative but IGPC accepts it as reasonable.

Table 2. Legal Costs for Emergency Motion and Appeal

Firm	Invoice Number	Amount
Lenczner Slaght	69539 ²	\$23,003
Lenczner Slaght	71966 ³	\$47,950
Sub-total		\$70,953
Ogilvy Renault	728429 ⁴	\$16,016
Ogilvy Renault	737740 ⁵	\$9,950
Total		<u>\$96,919</u>

² IGPC Pre-filed Evidence, June 3, 2013, Exhibit D, Tab 4, pages 2 thru 4.

³ IGPC Pre-filed Evidence, June 3, 2013, Exhibit D, Tab 4, pages 5 thru 9.

⁴ IGPC Pre-filed Evidence, June 3, 2013, Exhibit D, Tab 3, pages 64 thru 71. This represents the time only from June 28, 2007 to June 30, 2007. It does not include any disbursements.

⁵ IGPC Pre-filed Evidence, June 3, 2013, Exhibit D, Tab 3, pages 72 thru 76. This represent the time from July 1, 2007 to July 6, 2007 only. This figure does not include any disbursements.

- 11) With respect the Letter of Credit Motion, IGPC identified legal invoices totaling \$107,981 that covered the period of time that resulted in this motion and the motion itself.⁶ In fact NRG's current submission is that \$91,544 is the appropriate amount of legal costs associated with Letter of Credit Motion and not the \$82,554 included in the Board's Decision.
- 12) The Board then determined that it should disallow \$197,643 which it identified as related to a specific invoice. IGPC believes the Decision includes an incorrect identification of the Lenczner Slaght invoice. IGPC believes this connection of a specific invoice to the amount disallowed is an administrative error.
- 13) In its November 14, 2013 reply submissions, Appendix A, NRG does not use "Contingency" as a classification but rather allocates Ogilvy Renault and Lenczner Slaght costs to Regulatory Costs in the amount of \$638,226 and Subsequent Invoices in the amount of \$132,000.
- 14) At page 15, of its Argument-in-Chief in this proceeding, IGPC identified \$183,970 in legal costs from 2009 and through 2013 which obviously are not relevant to the construction of the IGPC Pipeline. Certainly these costs should not be included in the Actual Capital Cost of the IGPC Pipeline. The Decision recognized these costs were either related to this dispute or rates issues and therefore improper.
- 15) Given the above, IGPC submits the Board's Decision was reasonable in disallowing \$374,997 for legal costs.

⁶ IGPC Argument in Chief, Issues 2 to 5, paragraphs 33 to 35.

CONTINGENCY

- 16) The Contingency amount claimed by NRG has fluctuated greatly during this proceeding with NRG eventually recasting certain legal invoices to match a claimed \$132,000 amount. NRG has shuffled legal costs between Regulatory, Legal, Contingency or Subsequent Invoices.
- 17) The \$132,000 for Contingencies had no identified costs until this proceeding was well underway. NRG knowing the Board would not permit them to recoup monies that were never spent recast \$132,000 of legal invoices in the hopes of being permitted to recover at least a part of the costs.
- 18) IGPC made its substantive comments regarding the particular legal costs above.
- 19) However, what was clear is the Board did not permit any recovery for Contingency costs as NRG had not justified the inclusion of any such costs.

INTEREST DURING CONSTRUCTION

- 20) The Board, at page 20 in the Decision, specified the manner in which interest during construction was to be calculated and specified the applicable interest rate. IGPC is of the view its calculation of the interest during construction properly follows the Board's directions. NRG had originally sought to recover \$113,272 as interest during construction.
- 21) It seems that NRG has re-calculated the amount of interest during construction resulting in an overstatement of \$18,671, but has provided no foundation for such a calculation.
- 22) As a result of the analysis discussed below, IGPC submits the amount of interest during construction that should be permitted to be recovered is \$76,699 – a reduction of \$36,573 from that originally claimed by NRG.
- 23) IGPC re-calculated the interest based upon the requirements of the Decision. A copy of the recalculated interest during construction is provided in the attached Schedule A.

- 24) To prepare the table, IGPC reproduced the invoice summary used by NRG to develop the interest during construction. IGPC then removed the disallowed costs for Mark Bristoll and the disallowed legal costs related to the two Motions as it is entirely inappropriate to earn interest on disallowed costs. This provided a net capital amount as the project went to construction which would then be included in the principal upon which interest during construction was calculated. IGPC would note that the Prime Contract was not provided in the evidence but the interest was calculated using a 15-day period from presentation of the first Prime Contract invoice as the criteria for the start of interest calculations.
- 25) IGPC then calculated the interest on the amounts from the date provided by NRG using a simple interest calculation of the annual rate divided by 365 days per year multiplied by the number of days to the next invoice. This process was repeated for each invoice.
- 26) NRG should not be permitted to reply to this issue as it did not make any submissions on this issue.

INTEREST ON PAYMENT

- 27) The total amount of the Actual Capital Cost of the Pipeline the Board disallowed is \$858,615 [Mark Bristoll \$385,045; plus Insurance \$62,000; plus legal/contingency \$374,997; plus interest during construction \$36,573].
- 28) Without any written explanation, NRG recalculated this amount in a table as \$124,634 based upon interest accruing starting January 1, 2010. However, it appears that NRG has incorrectly counted the days in the relevant period during 2010 (days between 1-Aug-10 and 1-Oct-10 is 154, and no days post 1-Oct-10).
- 29) It appears that NRG used the appropriate interest rate, Prime plus 1.00%, as directed by the Board.
- 30) IGPC used its updated disallowed costs as the principal, and then applied interest as set out in the table below.

Table 3 – Interest on Payment Owed by NRG to IGPC

Year	Opening Balance	Prime Rate	Prime Rate plus 1%	Interest Amount	Closing Balance
2010 Jan 1. – June 30	\$858,615	2.25%	3.25%	\$13,838	\$872,453
2010 Jul. 1. – Jul. 31.	\$872,453	2.50%	3.50%	\$2,593	\$875,046
2010 Aug. 1 – Sep. 30	\$875,046	2.75%	3.75%	\$5,484	\$880,530
2010 Sep.30 – Dec. 31	\$880,530	3.00%	4.00%	\$8,878	\$889,405
2011 Jan 1. – Dec. 31	\$889,405	3.00%	4.00%	\$35,576	\$924,984
2012 Jan 1. – Dec. 31	\$924,984	3.00%	4.00%	\$36,999	\$961,983
2013 Jan 1. – Dec. 31	\$961,983	3.00%	4.00%	\$38,479	1,000,463
Total Interest Owed				\$141,848	

31) As such, IGPC submits the appropriate amount of interest is \$141,848.

COST REGARDING FINANCIAL ASSURANCE

- 32) NRG has made a request to for a review and variance of the Board’s Decision in respect of NRG’s obligation to pay IGPC \$150,000 in respect of the provision of financial assurance.
- 33) IGPC submits that NRG’s request for a review motion on this issue should be denied. The Board had the authority to order such a payment pursuant to Issue 4. As such, the Board had the jurisdiction to make the award.
- 34) IGPC agrees with Board Staff that the Board is prohibited from deviating from the Decision in the absence of a motion to review and vary pursuant to Rule 43 of the Board’s *Rules of Practice and Procedure*.
- 35) IGPC’s assertion as to the cost of providing the addition the financial assurance was not contradicted by NRG. Further, NRG’s submissions regarding the cost of maintaining the

excess financial assurance are not based on any evidence nor are the restrictions on the applicable timeframe proposed by NRG appropriate. Therefore, a reduced amount as proposed by NRG is completely inappropriate.

- 36) The Pipeline Cost Recovery Agreement was clear that the amount of financial assurance was to be reduced and NRG has held such financial assurance since the IGPC Pipeline was placed into service almost 6 years ago.
- 37) If, however, the Board determines that it will grant NRG's request for a review motion, then IGPC would note that it reserves the right to seek its full costs of providing the excess financial assurance and will seek costs for such a motion. Further, the Board should provide a process where IGPC can file evidence to substantiate its costs and make submissions in respect of the Board's jurisdiction to make such an order.

SUMMARY

- 38) IGPC submits that NRG's request for a review and variance of the Decision in respect of legal costs and the \$150,000 payment regarding financial assurance be denied.
- 39) IGPC submits that it is owed \$1,150,463 by NRG.

Table 1 Summary of Capital Expenditure Changes

Item	NRG Submission Disallowed Costs	IGPC Submission Disallowed Costs
Emergency Motion	\$68,725	\$94,800
Letter of Credit Motion	\$91,554	\$82,554
Contingency/Legal	132,000	\$197,643
Mark Bristoll	\$385,045	\$385,045
Insurance	\$62,000	\$62,000
Interest During Construction	\$18,671	\$36,573
Other Legal	\$0	\$0
Auditor	\$0	\$0
Project Management	\$0	\$0
Total	\$757,995	\$858,615
Interest on Payment	\$124,634	\$141,848
Financial Assurance Over	\$150,000	\$150,000
Total Amount Owning	\$1,032,629	\$1,150,463

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Date: April 2, 2014

Original signed by,

Scott Stoll

17411826.2

**NATURAL RESOURCE GAS LIMITED
IGPC PROJECT INTEREST SUMMARY
AS OF OCTOBER 28, 2008**

Consultant	Dates	NRG Direct	HST	Invoice	Cumulative Balance	# of Days	Interest Rate	Interest:	Total owing	
Aiken & Associates		\$ 480.00	\$ 33.60	\$ 513.60	\$ 513.60		0	\$ -	\$ 513.60	
Ogilvy Renault LLP		\$ 9,601.19	\$ 576.07	\$ 10,177.26	\$ 10,690.86		0		\$ 10,690.86	
NRG Corp.		\$ 1,046.25	\$ -	\$ 1,046.25	\$ 11,737.11		0		\$ 11,737.11	
Ogilvy Renault LLP		\$ 2,088.75	\$ 125.33	\$ 2,214.08	\$ 13,951.19		0		\$ 13,951.19	
Ogilvy Renault LLP		\$ 1,282.52	\$ 76.95	\$ 1,359.47	\$ 15,310.66		0		\$ 15,310.66	
Ogilvy Renault LLP		\$ 21.25	\$ 1.28	\$ 22.53	\$ 15,333.19		0		\$ 15,333.19	
AUE - Aecon Utility Engineering		\$ 4,800.00	\$ 288.00	\$ 5,088.00	\$ 20,421.19		0		\$ 20,421.19	
Harrison Pensa LLP		\$ 1,796.00	\$ 107.76	\$ 1,903.76	\$ 22,324.95		0		\$ 22,324.95	
Aiken & Associates		\$ 1,162.50	\$ 69.75	\$ 1,232.25	\$ 23,557.20		0		\$ 23,557.20	
Aid-to-Construct Receipt		-\$ 130,000.00	\$ -	-\$ 130,000.00	-\$ 106,442.80		0		\$ 106,442.80	
Harrison Pensa LLP		\$ 5,485.34	\$ 329.12	\$ 5,814.46	\$ 100,628.34		0		\$ 100,628.34	
Ogilvy Renault LLP		\$ 2,036.25	\$ 122.18	\$ 2,158.43	\$ 98,469.91		0		\$ 98,469.91	
Ogilvy Renault LLP		\$ 33,292.07	\$ 1,997.52	\$ 35,289.59	\$ 63,180.32		0		\$ 63,180.32	
AUE - Aecon Utility Engineering		\$ 35,100.00	\$ 2,106.00	\$ 37,206.00	\$ 25,974.32		0		\$ 25,974.32	
Aiken & Associates		\$ 468.75	\$ 28.13	\$ 496.88	\$ 25,477.44		0		\$ 25,477.44	
TSSA Total		\$ 750.00	\$ 45.00	\$ 795.00	\$ 24,682.44		0		\$ 24,682.44	
Ogilvy Renault LLP		\$ 17,675.24	\$ 1,059.02	\$ 18,734.26	\$ 5,948.18		0		\$ 5,948.18	
Ogilvy Renault LLP		\$ 17,342.71	\$ 1,040.56	\$ 18,383.27	\$ 12,435.09		0		\$ 12,435.09	
Martin Malette		\$ 291.74	\$ 17.50	\$ 309.24	\$ 12,744.33		0		\$ 12,744.33	
AUE - Aecon Utility Engineering		\$ 42,225.00	\$ 2,533.50	\$ 44,758.50	\$ 57,502.83		0		\$ 57,502.83	
Lobservateur		\$ 1,935.00	\$ 116.10	\$ 2,051.10	\$ 59,553.93		0		\$ 59,553.93	
The London Free Press Total		\$ 7,585.20	\$ 455.11	\$ 8,040.31	\$ 67,594.24		0		\$ 67,594.24	
FKS Land Surveyors		\$ 60,917.50	\$ 3,655.05	\$ 64,572.55	\$ 132,166.79		0		\$ 132,166.79	
Aiken & Associates		\$ 1,262.04	\$ 75.72	\$ 1,337.76	\$ 133,504.55		0		\$ 133,504.55	
AUE - Aecon Utility Engineering		\$ 67,842.88	\$ 4,070.57	\$ 71,913.45	\$ 205,418.00		0		\$ 205,418.00	
Viva Voce Reporting Ltd. Total		\$ 2,195.31	\$ 131.72	\$ 2,327.03	\$ 207,745.03		0		\$ 207,745.03	
Ogilvy Renault LLP		\$ 33,570.46	\$ 2,013.86	\$ 35,584.32	\$ 243,329.35		0		\$ 243,329.35	
Senes Consultants Ltd. Total		\$ 13,546.92	\$ 812.82	\$ 14,359.74	\$ 257,689.09		0		\$ 257,689.09	
A.S.A.P. Reporting Services		\$ 1,081.00	\$ 64.86	\$ 1,145.86	\$ 258,834.95		0		\$ 258,834.95	
Aiken & Associates		\$ 2,406.50	\$ 144.39	\$ 2,550.89	\$ 261,385.84		0		\$ 261,385.84	
Ogilvy Renault LLP		\$ 25,254.51	\$ 1,514.53	\$ 26,769.04	\$ 288,154.88		0		\$ 288,154.88	
Aid-to-Construct Receipt		-\$ 100,000.00	\$ -	-\$ 100,000.00	\$ 188,154.88		0		\$ 188,154.88	
A.S.A.P. Reporting Services		\$ 1,095.00	\$ 65.70	\$ 1,160.70	\$ 189,315.58		0		\$ 189,315.58	
AUE - Aecon Utility Engineering		\$ 106,800.25	\$ 6,408.02	\$ 113,208.27	\$ 302,523.85		0		\$ 302,523.85	
Aid-to-Construct Receipt		-\$ 181,454.00	\$ -	-\$ 181,454.00	\$ 121,069.85		0		\$ 121,069.85	
A.S.A.P. Reporting Services		\$ 150.00	\$ 9.00	\$ 159.00	\$ 121,228.85		0		\$ 121,228.85	
Ogilvy Renault LLP		\$ 3,218.15	\$ 192.71	\$ 3,410.86	\$ 124,639.71		0		\$ 124,639.71	
Harrison Pensa LLP		\$ 6,519.35	\$ 391.16	\$ 6,910.51	\$ 131,550.22		0		\$ 131,550.22	
FKS Land Surveyors		\$ 11,200.00	\$ 672.00	\$ 11,872.00	\$ 143,422.22		0		\$ 143,422.22	
AUE - Aecon Utility Engineering		\$ 38,744.50	\$ 2,324.67	\$ 41,069.17	\$ 184,491.39		0		\$ 184,491.39	
Aiken & Associates		\$ 656.25	\$ 39.38	\$ 695.63	\$ 185,187.02		0		\$ 185,187.02	
Ogilvy Renault LLP		\$ 15,428.23	\$ 925.04	\$ 16,353.27	\$ 201,540.29		0		\$ 201,540.29	
A.S.A.P. Reporting Services		\$ 5,149.75	\$ 308.99	\$ 5,458.74	\$ 206,999.03		0		\$ 206,999.03	
Aid-to-Construct Receipt		-\$ 130,159.06	\$ -	-\$ 130,159.06	\$ 76,839.97		0		\$ 76,839.97	
AUE - Aecon Utility Engineering		\$ 420.00	\$ 25.20	\$ 445.20	\$ 77,285.17		0		\$ 77,285.17	
Harrison Pensa LLP		\$ 423.75	\$ 25.43	\$ 449.18	\$ 77,734.35		0		\$ 77,734.35	
Ogilvy Renault LLP		\$ 20,165.98	\$ 1,209.84	\$ 21,375.82	\$ 99,110.17		0		\$ 99,110.17	
Aid-to-Construct Receipt		-\$ 73,898.33	\$ -	-\$ 73,898.33	\$ 25,211.84		0		\$ 25,211.84	
Aiken & Associates		\$ 75.00	\$ 4.50	\$ 79.50	\$ 25,291.34		0		\$ 25,291.34	

Consultant	Dates	NRG Direct	HST	Invoice	Cumulative Balance	# of Days	Interest Rate	Interest:	Total owing	
AUE - Aecon Utility Engineering		\$ 795.00	\$ 47.70	\$ 842.70	\$ 26,134.04		0		\$ 26,134.04	
Stantec Consulting		\$ 3,409.56	\$ 204.57	\$ 3,614.13	\$ 29,748.17		0		\$ 29,748.17	
AUE - Aecon Utility Engineering		\$ 425.50	\$ 35.53	\$ 461.03	\$ 30,209.20		0		\$ 30,209.20	
Ogilvy Renault LLP		\$ 6,131.25	\$ 367.88	\$ 6,499.13	\$ 36,708.33		0		\$ 36,708.33	
AUE - Aecon Utility Engineering		\$ 127.50	\$ 7.65	\$ 135.15	\$ 36,843.48		0		\$ 36,843.48	
Neal, Pallett & Townsend		\$ 2,014.00	\$ 100.70	\$ 2,114.70	\$ 38,958.18		0		\$ 38,958.18	
Stantec Consulting		\$ 2,500.42	\$ 150.03	\$ 2,650.45	\$ 41,608.63		0		\$ 41,608.63	
Lenczner Slaght Royce		\$ 23,003.25	\$ 1,380.20	\$ 24,383.45	\$ 65,992.08		0		\$ 65,992.08	
Ogilvy Renault LLP		\$ 44,487.09	\$ 2,673.88	\$ 47,160.97	\$ 113,153.05		0		\$ 113,153.05	
Aiken & Associates		\$ 375.00	\$ 22.50	\$ 397.50	\$ 113,550.55		0		\$ 113,550.55	
Harrison Pensa LLP		\$ 2,942.75	\$ 176.57	\$ 3,119.32	\$ 116,669.87		0		\$ 116,669.87	
Stantec Consulting		\$ 4,632.55	\$ 277.95	\$ 4,910.50	\$ 121,580.37		0		\$ 121,580.37	page 2
Harrison Pensa LLP		\$ 2,016.25	\$ 120.98	\$ 2,137.23	\$ 123,717.60		0		\$ 123,717.60	
Ogilvy Renault LLP		\$ 13,976.84	\$ 838.05	\$ 14,814.89	\$ 138,532.49		0		\$ 138,532.49	
AUE - Aecon Utility Engineering		\$ 6,075.00	\$ 351.00	\$ 6,426.00	\$ 144,958.49		0		\$ 144,958.49	
Ogilvy Renault LLP		\$ 831.25	\$ 49.88	\$ 881.13	\$ 145,839.62		0		\$ 145,839.62	
AUE - Aecon Utility Engineering		\$ 13,172.00	\$ 469.92	\$ 13,641.92	\$ 159,481.54		0		\$ 159,481.54	
Aid-to-Construct Receipt		\$ 23,643.43	\$ -	\$ 23,643.43	\$ 135,838.11		0		\$ 135,838.11	
Ogilvy Renault LLP		\$ 8,806.86	\$ 528.41	\$ 9,335.27	\$ 145,173.38		0		\$ 145,173.38	
AUE - Aecon Utility Engineering		\$ 14,051.00	\$ 320.40	\$ 14,371.40	\$ 159,544.78		0		\$ 159,544.78	
Lakeside Steel Corporation		\$ -	\$ -	\$ -	\$ 159,544.78		0		\$ 159,544.78	
Aid-to-Construct Receipt		\$ -	\$ -	\$ 23,130.12	\$ 182,674.90		0		\$ 182,674.90	
Ogilvy Renault LLP		\$ 377.92	\$ 22.68	\$ 400.60	\$ 183,075.50		0		\$ 183,075.50	
AUE - Aecon Utility Engineering		\$ 21,563.00	\$ 549.00	\$ 22,112.00	\$ 205,187.50		0		\$ 205,187.50	
Lenczner Slaght Royce		\$ 47,949.79	\$ 2,849.39	\$ 50,799.18	\$ 255,986.68		0		\$ 255,986.68	
Mark Bristol		\$ 130,006.50	\$ -	\$ 130,006.50	\$ 385,993.18		0		\$ 385,993.18	
Ogilvy Renault LLP		\$ 375.00	\$ 22.50	\$ 397.50	\$ 386,390.68		0		\$ 386,390.68	
Canadian Pacific Railway		\$ 650.00	\$ 32.50	\$ 682.50	\$ 387,073.18		0		\$ 387,073.18	
AUE - Aecon Utility Engineering		\$ 17,705.57	\$ 241.08	\$ 17,946.65	\$ 405,019.83		0		\$ 405,019.83	
Ogilvy Renault LLP		\$ 1,976.50	\$ 98.83	\$ 2,075.33	\$ 407,095.16		0		\$ 407,095.16	
AUE - Aecon Utility Engineering		\$ 12,456.63	\$ 176.43	\$ 12,633.06	\$ 419,728.22		0		\$ 419,728.22	
The Municipality of Thames Centre		\$ 2,175.00	\$ -	\$ 2,175.00	\$ 421,903.22		0		\$ 421,903.22	
Stantec Consulting		\$ 6,857.46	\$ 342.87	\$ 7,200.33	\$ 429,103.55		0		\$ 429,103.55	
Ogilvy Renault LLP		\$ 2,875.00	\$ 143.75	\$ 3,018.75	\$ 432,122.30		0		\$ 432,122.30	
AUE - Aecon Utility Engineering		\$ 35,140.00	\$ 1,757.00	\$ 36,897.00	\$ 469,019.30		0		\$ 469,019.30	
Lenczner Slaght Royce		\$ 21,007.93	\$ 1,050.40	\$ 22,058.33	\$ 491,077.63		0		\$ 491,077.63	
Stantec Consulting		\$ 5,603.24	\$ 280.16	\$ 5,883.40	\$ 496,961.03		0		\$ 496,961.03	
The Municipality of Thames Centre		\$ 9,300.00	\$ -	\$ 9,300.00	\$ 506,261.03		0		\$ 506,261.03	
Ogilvy Renault LLP		\$ 9,628.69	\$ 481.43	\$ 10,110.12	\$ 516,371.15		0		\$ 516,371.15	
Kettle Creek Conservation Authority		\$ 500.00	\$ 25.00	\$ 525.00	\$ 516,896.15		0		\$ 516,896.15	
Lenczner Slaght Royce		\$ 69,327.21	\$ 3,466.36	\$ 72,793.57	\$ 589,689.72		0		\$ 589,689.72	
UpperThames River Conservation Authority		\$ 10,300.00	\$ -	\$ 10,300.00	\$ 599,989.72		0		\$ 599,989.72	
Upper Thames River Conservation Authority		\$ 500.00	\$ -	\$ 500.00	\$ 600,489.72		0		\$ 600,489.72	
Catfish Creek Conservation Authority		\$ 100.00	\$ 5.00	\$ 105.00	\$ 600,594.72		0		\$ 600,594.72	
Harrison Pensa LLP		\$ 490.50	\$ 24.53	\$ 515.03	\$ 601,109.75		0		\$ 601,109.75	
AUE - Aecon Utility Engineering		\$ 25,289.74	\$ 1,264.49	\$ 26,554.23	\$ 627,663.98		0		\$ 627,663.98	
MIG Engineering Ltd.		\$ 10,885.14	\$ 544.26	\$ 11,429.40	\$ 639,093.38		0		\$ 639,093.38	
The Township of Malahide Total		\$ 21,160.00	\$ -	\$ 21,160.00	\$ 660,253.38		0		\$ 660,253.38	
Harrison Pensa LLP		\$ 735.50	\$ 36.78	\$ 772.28	\$ 661,025.66		0		\$ 661,025.66	
Purolator		\$ 17.51	\$ 0.88	\$ 18.39	\$ 661,044.05		0		\$ 661,044.05	
Stantec Consulting		\$ 3,325.53	\$ 166.28	\$ 3,491.81	\$ 664,535.86		0		\$ 664,535.86	
The Corporation of the County of Elgin		\$ 400.00	\$ -	\$ 400.00	\$ 664,935.86		0		\$ 664,935.86	

Consultant	Dates	NRG Direct	HST	Invoice	Cumulative Balance	# of Days	Interest Rate	Interest:	Total owing	
The Corporation of the County of Elgin		\$ 400.00	\$ -	\$ 400.00	\$ 665,335.86		0		\$ 665,335.86	
Helix Courier Limited		\$ 132.79	\$ 6.64	\$ 139.43	\$ 665,475.29		0		\$ 665,475.29	
The Municipality of Thames Centre		\$ 3,425.00	\$ -	\$ 3,425.00	\$ 668,900.29		0		\$ 668,900.29	
Ayerswood Development Corporation		\$ 194.51	\$ 9.73	\$ 204.24	\$ 669,104.53		0		\$ 669,104.53	
Purolator		\$ 35.02	\$ 1.75	\$ 36.77	\$ 669,141.30		0		\$ 669,141.30	
Ogilvy Renault LLP		\$ 2,187.50	\$ 109.38	\$ 2,296.88	\$ 671,438.18		0		\$ 671,438.18	
Totals Prior to Prime First Invoice									\$ 671,438.18	
Motion #1 Deduction					-\$ 94,800.00				\$ 576,638.18	
Motion #2 Deduction					-\$ 82,544.00				\$ 494,094.18	
Mark Bristoll					-\$ 130,006.50				\$ 364,087.68	
Robert B. Somerville Co- Limited	14/04/2008	\$ 163,593.97	\$ 8,179.70	\$ 171,773.67	\$ 535,861.35	0	5.18%	\$ -	\$ 535,861.35	Prime Cont. First Invoice.
COMCO Pipe & Supply Company	15/04/2008	\$ 4,366.40	\$ 218.32	\$ 4,584.72	\$ 540,446.07	0	5.18%	\$ -	\$ 540,446.07	
CR. Wall & Co. Inc.	17/04/2008	\$ 26,370.58	\$ 1,220.86	\$ 27,591.44	\$ 568,037.51	0	5.18%	\$ -	\$ 568,037.51	
MIG Engineering Ltd.	22/04/2008	\$ 6,708.66	\$ 335.43	\$ 7,044.09	\$ 575,081.60	0	5.18%	\$ -	\$ 575,081.60	
MIG Engineering Ltd.	22/04/2008	\$ 24,072.30	\$ 1,203.62	\$ 25,275.92	\$ 600,357.52	0	5.18%	\$ -	\$ 600,357.52	
AUE - Aecon Utility Engineering	23/04/2008	\$ 15,043.93	\$ 752.20	\$ 15,796.13	\$ 616,153.65	0	5.18%	\$ -	\$ 616,153.65	
COMCO Pipe & Supply Company	24/04/2008	\$ 3,645.00	\$ 182.25	\$ 3,827.25	\$ 619,980.90	0	5.18%	\$ -	\$ 619,980.90	
KT1 Limited	24/04/2008	\$ 11,448.00	\$ 530.00	\$ 11,978.00	\$ 631,958.90	0	5.18%	\$ -	\$ 631,958.90	
KTI Limited	24/04/2008	\$ 10,130.40	\$ 469.00	\$ 10,599.40	\$ 642,558.30	0	5.18%	\$ -	\$ 642,558.30	
Harrison Pensa LLP	28/04/2008	\$ 4,972.50	\$ 248.63	\$ 5,221.13	\$ 647,779.43	0	5.18%	\$ -	\$ 647,779.43	
Sub-total 15 days after 1st invoice RBS	29/04/2008				\$ 647,779.43				\$ 647,779.43	
COMCO Pipe & Supply Company	29/04/2008	\$ 25,513.57	\$ 1,275.68	\$ 26,789.25	\$ 674,568.68	3	5.18%	\$ 287.20	\$ 674,855.88	
MIG Engineering Ltd.	02/05/2008	\$ 28,374.71	\$ 1,418.74	\$ 29,793.45	\$ 704,649.33	5	5.18%	\$ 500.01	\$ 705,149.34	
Lenczner Slaght Royce	07/05/2008	\$ 57,844.13	\$ 2,892.21	\$ 60,736.34	\$ 765,885.68	3	5.18%	\$ 326.08	\$ 766,211.76	
Robert B- Somerville Co. Limited	10/05/2008	\$ 616,624.17	\$ 30,831.21	\$ 647,455.38	\$ 1,413,667.14	2	5.18%	\$ 401.25	\$ 1,414,068.39	
Aid-to-Constuct Receipt	12/05/2008	-\$ 413,665.00	\$ -	-\$ 413,665.00	\$ 1,000,403.39	0	5.18%	\$ -	\$ 1,000,403.39	
Ogilvy Renault LLP	12/05/2008	\$ 4,600.00	\$ 230.00	\$ 4,830.00	\$ 1,005,233.39	9	5.18%	\$ 1,283.94	\$ 1,006,517.33	
AUE - Aecon Utility Engineering	21/05/2008	\$ 2,915.00	\$ 145.75	\$ 3,060.75	\$ 1,009,578.08	2	5.18%	\$ 286.55	\$ 1,009,864.64	
COMCO Pipe & Supply Company	23/05/2008	\$ 2,170.80	\$ 108.54	\$ 2,279.34	\$ 1,012,143.98	7	5.18%	\$ 1,005.49	\$ 1,013,149.47	
Ayerswood Development Corporation	30/05/2008	\$ 39.17	\$ 1.96	\$ 41.13	\$ 1,013,190.60	0	5.18%	\$ -	\$ 1,013,190.60	
Purolator	30/05/2008	\$ 35.67	\$ 1.78	\$ 37.45	\$ 1,013,228.05	1	5.18%	\$ 143.80	\$ 1,013,371.84	
Ayerswood Development Corporation	31/05/2008	\$ 300.00	\$ 15.00	\$ 315.00	\$ 1,013,686.84	1	5.18%	\$ 143.86	\$ 1,013,830.70	
Ayerswood Development Corporation	01/06/2008	\$ 1,050.57	\$ 52.53	\$ 1,103.10	\$ 1,014,933.80	5	5.18%	\$ 720.19	\$ 1,015,653.99	
Robert B. Somerville Co. Limited	06/06/2008	\$ 971,370.45	\$ 48,568.52	\$ 1,019,938.97	\$ 2,035,592.96	10	5.18%	\$ 2,888.87	\$ 2,038,481.83	
MIG Engineering Ltd.	16/06/2008	\$ 118,274.97	\$ 5,913.75	\$ 124,188.72	\$ 2,162,670.55	4	5.18%	\$ 1,227.69	\$ 2,163,898.23	
Ogilvy Renault LLP	20/06/2008	\$ 718.75	\$ 35.94	\$ 754.69	\$ 2,164,652.92	5	5.18%	\$ 1,536.01	\$ 2,166,188.94	
AUE - Aecon Utility Engineering	25/06/2008	\$ 12,511.00	\$ 625.55	\$ 13,136.55	\$ 2,179,325.49	5	5.18%	\$ 1,546.43	\$ 2,180,871.91	
Ayerswood Development Corporation	30/06/2008	\$ 350.76	\$ 17.54	\$ 368.30	\$ 2,181,240.21	0	5.18%	\$ -	\$ 2,181,240.21	
Corrosion Services Company Limited	30/06/2008	\$ 1,768.77	\$ 81.89	\$ 1,850.66	\$ 2,183,090.87	0	5.18%	\$ -	\$ 2,183,090.87	
Harrison Pensa LLP	30/06/2008	\$ 227.27	\$ 11.36	\$ 238.63	\$ 2,183,329.50	0	5.18%	\$ -	\$ 2,183,329.50	
KTI Limited	30/06/2008	\$ 800.00	\$ 104.00	\$ 904.00	\$ 2,184,233.50	2	5.18%	\$ 619.96	\$ 2,184,853.47	
Neal, Pallett & Townsend	02/07/2008	\$ 900.00	\$ 45.00	\$ 945.00	\$ 2,185,798.47	2	5.43%	\$ 650.35	\$ 2,186,448.82	
Purolator	04/07/2008	\$ 111.63	\$ 5.58	\$ 117.21	\$ 2,186,566.03	0	5.43%	\$ -	\$ 2,186,566.03	
Robert B. Somerville Co. Limited	04/07/2008	\$ 1,044,546.56	\$ 52,227.33	\$ 1,096,773.89	\$ 3,283,339.92	4	5.43%	\$ 1,953.81	\$ 3,285,293.73	
C.R. Wall & Co.Inc.	08/07/2008	\$ 621.00	\$ 28.75	\$ 649.75	\$ 3,285,943.48	0	5.43%	\$ -	\$ 3,285,943.48	
Fastenal	08/07/2008	\$ 70.47	\$ 3.26	\$ 73.73	\$ 3,286,017.21	2	5.43%	\$ 977.70	\$ 3,286,994.91	
Fastenal	10/07/2008	\$ 70.46	\$ 3.52	\$ 73.98	\$ 3,287,068.89	0	5.43%	\$ -	\$ 3,287,068.89	
MIG Engineering Ltd.	10/07/2008	\$ 67,909.94	\$ 3,395.50	\$ 71,305.44	\$ 3,358,374.33	5	5.43%	\$ 2,498.08	\$ 3,360,872.41	
Wellmaster	15/07/2008	\$ 11.48	\$ 0.57	\$ 12.05	\$ 3,360,884.46	3	5.43%	\$ 1,499.97	\$ 3,362,384.43	
Ogilvy Renault LLP	18/07/2008	\$ 7,977.50	\$ 398.88	\$ 8,376.38	\$ 3,370,760.81	0	5.43%	\$ -	\$ 3,370,760.81	
Purolator	18/07/2008	\$ 83.21	\$ 4.16	\$ 87.37	\$ 3,370,848.18	4	5.43%	\$ 2,005.89	\$ 3,372,854.06	

Consultant	Dates	NRG Direct	HST	Invoice	Cumulative Balance	# of Days	Interest Rate	Interest:	Total owing	
AUE- Aecon Utility Engineering	22/07/2008	\$ 1,485.96	\$ 74.30	\$ 1,560.26	\$ 3,374,414.32	2	5.43%	\$ 1,004.00	\$ 3,375,418.33	
Neal, Pallett & Townsend	24/07/2008	\$ 6,767.29	\$ 406.04	\$ 7,173.33	\$ 3,382,591.66	1	5.43%	\$ 503.22	\$ 3,383,094.87	
Purolator	25/07/2008	\$ 66.08	\$ 3.30	\$ 69.38	\$ 3,383,164.25	3	5.43%	\$ 1,509.91	\$ 3,384,674.16	
C.R. Wall & Co. Inc.	28/07/2008	\$ 3,157.38	\$ 146.18	\$ 3,303.56	\$ 3,387,977.72	2	5.43%	\$ 1,008.04	\$ 3,388,985.76	
C.R. Wall&Co. Inc	30/07/2008	\$ 4,390.47	\$ 203.26	\$ 4,593.73	\$ 3,393,579.49	1	5.43%	\$ 504.85	\$ 3,394,084.35	
Helix Courier Limited	31/07/2008	\$ 64.80	\$ 3.24	\$ 68.04	\$ 3,394,152.39	0	5.43%	\$ -	\$ 3,394,152.39	
MIG Engineering Ltd.	31/07/2008	\$ 2,088.22	\$ 104.41	\$ 2,192.63	\$ 3,396,345.02	8	5.43%	\$ 4,042.12	\$ 3,400,387.13	
MIG Engineering Ltd.	08/08/2008	\$ 3,760.10	\$ 188.01	\$ 3,948.11	\$ 3,404,335.24	0	5.43%	\$ -	\$ 3,404,335.24	
Robert B. Somerville Co. Limited	08/08/2008	\$ 310,681.68	\$ 15,534.08	\$ 326,215.76	\$ 3,730,551.00	5	5.43%	\$ 2,774.92	\$ 3,733,325.92	
Ogilvy Renault LLP	13/08/2008	\$ 143.75	\$ 7.19	\$ 150.94	\$ 3,733,476.86	5	5.43%	\$ 2,777.09	\$ 3,736,253.95	
Corrosion Services Company Limited	18/08/2008	\$ 1,945.00	\$ 97.25	\$ 2,042.25	\$ 3,738,296.20	2	5.43%	\$ 1,112.27	\$ 3,739,408.47	
AUE - Aecon Utility Engineering	20-Aug	\$ 195.91	\$ 9.80	\$ 205.71	\$ 3,739,614.18	2	5.43%	\$ 1,112.66	\$ 3,740,726.85	
Purolator	22/08/2008	\$ 118.52	\$ 5.93	\$ 124.45	\$ 3,740,851.30	8	5.43%	\$ 4,452.13	\$ 3,745,303.42	
Aiken & Associates	30/08/2008	\$ 100.70	\$ 5.04	\$ 105.74	\$ 3,745,409.16	0	5.43%	\$ -	\$ 3,745,409.16	
Aiken & Associates	30/08/2008	\$ 293.75	\$ 14.69	\$ 308.44	\$ 3,745,717.60	1	5.43%	\$ 557.24	\$ 3,746,274.84	
Black & McDonald Limited	31/08/2008	\$ 823.18	\$ 41.16	\$ 864.34	\$ 3,747,139.18	4	5.43%	\$ 2,229.80	\$ 3,749,368.99	
Bell	04/09/2008	\$ 2,575.69	\$ 128.78	\$ 2,704.47	\$ 3,752,073.46	1	5.43%	\$ 558.19	\$ 3,752,631.64	
KI1 Limited	05/09/2008	\$ 134.00	\$ 17.42	\$ 151.42	\$ 3,752,783.06	3	5.43%	\$ 1,674.87	\$ 3,754,457.93	
Ayerswood Development Corporation	08/09/2008	\$ 113.00	\$ 5.65	\$ 118.65	\$ 3,754,576.58	1	5.43%	\$ 558.56	\$ 3,755,135.14	
MIG Engineering Ltd	09/09/2008	\$ 7,610.86	\$ 380.54	\$ 7,991.40	\$ 3,763,126.54	9	5.43%	\$ 5,038.47	\$ 3,768,165.01	
Union Gas Limited- Commission	18/09/2008	\$ 3,979.56	\$ -	\$ 3,979.56	\$ 3,772,144.57	8	5.43%	\$ 4,489.37	\$ 3,776,633.94	
Societe Generale	26/09/2008	\$ 6,517.72	\$ -	\$ 6,517.72	\$ 3,783,151.66	4	5.43%	\$ 2,251.23	\$ 3,785,402.89	
Ayerswood Development Corporation	30/09/2008	\$ 55.50	\$ 2.78	\$ 58.28	\$ 3,785,461.17	20	5.43%	\$ 11,263.04	\$ 3,796,724.21	
Harrison Pensa LLP - BNS	20/10/2008	\$ 29,295.25	\$ 1,460.26	\$ 30,755.51	\$ 3,827,479.72	2	5.43%	\$ 1,138.81	\$ 3,828,618.53	
Lenczner Slaght Royce	22/10/2008	\$ 20,098.87	\$ 1,004.94	\$ 21,103.81	\$ 3,849,722.34	5	5.43%	\$ 2,863.56	\$ 3,852,585.90	
Robert B. Somerville Co. Limited (Final)	27/10/2008	\$ 68,824.91	\$ 3,441.25	\$ 72,266.16	\$ 3,924,852.06	15	5.43%	\$ 8,758.33	\$ 3,933,610.39	
Total								\$ 76,698.57		