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May 29, 2014

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 141400

VIA RESS, EMAIL AND REGULAR MAIL

Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario
M4P 1E4

Attention: Kirsten Walli
Board Secretary

Dear Ms. Walli::

**Re: Cost Claim of Building Owners and Managers Association, Greater Toronto (BOMA)
Board File No. EB-2013-0381**

Please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd
Encls.

cc: Adrian Pye, IESO (*by e-mail*)
Jessica Savage, IESO (*by e-mail*)
Glenn Zacher, Stikeman Elliot (*by e-mail*)
Marion Fraser, Fraser & Company (*by e-mail*)
Chris Conway, BOMA (*by e-mail*)

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 (yellow-shaded) 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 embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
- 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 lawyer, analyst/consultant and 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/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- 2013-0381 Process: IESO 2014 Fees Submission for Review
Party: BOMA Affiant's Name: Tom Brett
HST Number: R119420859 HST Rate Ontario: 13.00%
Full Registrant Qualifying Non-Profit
Unregistered Tax Exempt
Other

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.

J. Han Keel
Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto in the Province/State of Ontario, on May 27/14 (date)

[Signature]
Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2013-0381 Process: IESO 2014 Fees Submission for Review

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	6,336.00
Disbursements	\$	23.98
HST	\$	826.80
Total Cost Claim	\$	7,186.78

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: Attention: Debbie Dey
77 King Street West, Suite 3000
Toronto, Ontario
M5K 1G8

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0381</u>	Process: <u>IESO 2014 Fees Submission for Review</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1971"/>
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience
Consultant <input type="checkbox"/>	<input type="text" value="35"/>
Analyst <input type="checkbox"/>	Hourly Rate: <input type="text" value="\$330"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <input type="text" value="13.0%"/>
<input checked="" type="checkbox"/> CV provided within previous 24 months	

Statement of Fees Being Claimed

	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	6.5	\$ 330.00	\$ 2,145.00	\$ 278.85	\$ 2,423.85
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	11.7	\$ 330.00	\$ 3,861.00	\$ 501.93	\$ 4,362.93
Attendance	1.0	\$ 330.00	\$ 330.00	\$ 42.90	\$ 372.90
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 6,336.00	\$ 823.68	\$ 7,159.68

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2013-0381

Process: IESO 2014 Fees Submission for Review

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier	\$ 23.98	\$ 3.12	\$ 27.10
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ 23.98	\$ 3.12	\$ 27.10

Prebill # 750364 Session: 418602 Bill to: 27/May/14

FOGLER, RUBINOFF LLP

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
33 Harbour Square, Suite 502
Toronto, ON
M5J 2G2
Canada
Attn: Marion Fraser

PAYOR: F1588 MAIN
BILL: F1588 MAIN

141400
BOMA - IESO Fiscal 2014 Fees
Submission for Review; Board
File No. EB-2013-0381

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>
30/Apr/14	Thomas Brett	19.20	6,336.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		19.20	6,336.00	<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>
13/Mar/14	7	Courier & Delivery	Y	23.98			
TOTAL UNBILLED DISB				23.98	<input type="checkbox"/> WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY - A Trust was not opened on this Matter

F1588 **141400**Fraser & Company
BOMA - IESO Fiscal 2014 Fees
Submission for Review; Board File No.
EB-2013-0381
Prebill No.: 750364
Session ID: 418602LAST BILL DATE: NONE
LAST BILLED TO DATE: NONE
FILE LAWYER: Brett, Thomas
ASSIGNED LAWYER: Brett, ThomasCLIENT ADDRESS
Fraser & Company
33 Harbour Square, Suite 502
Toronto, ON M5J 2G2
CANADABILLING ADDRESS
33 Harbour Square, Suite 502
Toronto, ON
M5J 2G2
Fraser, Marion

DETAIL OF UNBILLED TIME

DATE	TIME ID	TIMEKEEPER	HOURS	RATE	AMOUNT	DESCRIPTION
13/Mar/14	2385708	415 TB	5.00	330.00	1,650.00	Reviewing evidence; Completing Interrogatories
23/Apr/14	2404569	415 TB	1.50	330.00	495.00	Reviewing IR Responses
24/Apr/14	2404579	415 TB	1.50	330.00	495.00	Reviewing evidence; Preparing for Settlement Conference
25/Apr/14	2404597	415 TB	4.50	330.00	1,485.00	Reviewing IRs; Preparing for Settlement Conference
28/Apr/14	2408557	415 TB	2.00	330.00	660.00	Reviewing materials for Settlement Conference
29/Apr/14	2408562	415 TB	2.20	330.00	726.00	Preparation for Settlement Conference
30/Apr/14	2408579	415 TB	1.50	330.00	495.00	Preparation for Settlement Conference
30/Apr/14	2408581	415 TB	1.00	330.00	330.00	Attending Settlement Conference
TOTAL TIME			19.20		6,336.00	

DETAIL OF UNBILLED DISBURSEMENTS

DATE	DISB ID	CODE	QUAN	AMOUNT	DESCRIPTION
30/Jan/14	5510285	7 Courier & Delivery		11.99	11:32 TB Courier: Blizzard# 6295333 Ontario Energy Board 2300 Yonge St Liam L
13/Mar/14	5581366	7 Courier & Delivery		11.99	14:57 TB Courier: Blizzard# 6307236 ontario energy board 2300 Yonge St rewa
TOTAL DISB				23.98	

Filter

Disb ID

5510285

Disbursement Details

Client F1588	Fraser Company
Matter 141400	BOMA - IESO Fiscal 2014 Fees Submission
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	\$10.89	Currency Code	CDN
Base Amt	\$10.89	Base Qty	0.000000
Tobill Amt	\$11.99		
Billed Amt	\$11.99	Bill Qty	0.000000

Narrative

11:32 TB Courier: Blizzard# 6295333 Ontario Energy Board 2300 Yonge St Liam L

Filter

Disb ID

5581366

Disbursement Details

Client F1588	Fraser Company
Matter 141400	BOMA - IESO Fiscal 2014 Fees Submission
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	\$10.89	Currency Code	CDN
Base Amt	\$10.89	Base Qty	0.000000
Tobill Amt	\$11.99		
Billed Amt	\$11.99	Bill Qty	0.000000

Narrative

14:57 TB Courier: Blizzard# 6307236 ontario energy board 2300 Yonge St rewa