



Fogler, Rubinoff LLP

Lawyers

77 King Street West

Suite 3000, PO Box 95

TD Centre North Tower

Toronto, ON M5K 1G8

t: 416.864.9700 | f: 416.941.8852

foglers.com

May 29, 2014

Reply To: Thomas Brett

Direct Dial: 416.941.8861

E-mail: tbrett@foglers.com

Our File No. 135679

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-2013-0301**

Please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

A handwritten signature in blue ink that reads "Tom Brett per: [initials]".

Thomas Brett

TB/dd

Encls.

cc: All Parties (*by e-mail*)

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation 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 Notice of Hearing for Cost Awards. Please ensure all required fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

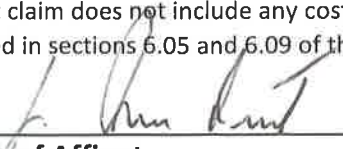
- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: _____ Country: _____
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" 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 # <u>EB- 2013-0301</u>	Process: <u>Participation of Intervenors in Board Proceedings</u>
Party: <u>BOMA</u>	Affiant's Name: <u>Tom Brett</u>
HST Number: <u>R119420859</u>	HST Rate Ontario: <u>13.00%</u>
Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement 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 May 27/14
(date)



Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Affidavit and Summary of Fees and Disbursements



File # EB- 2013-0301 Process: Participation of Intervenors in Board Proceedings

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$10,230.00
Disbursements	\$0.00
HST	\$1,329.90
Total Cost Claim	\$11,559.90

Detail of Fees and Disbursements Being Claimed

Statement of Fees Being Claimed

Statement of Fees being claimed for Eligible Activity is found on the second tab of this workbook.

Statement(s) of Disbursements Being Claimed

Statement of Disbursements being claimed is found on the third tab of this workbook.

Ontario Energy Board



COST CLAIM FOR CONSULTATIONS

Affidavit and Summary of Fees and Disbursements

Individual Whose Costs are Being Claimed

Name: <u>Tom Brett</u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	<u>35</u>	
Consultant:	<input type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name: <u>Marion Fraser</u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	<u>35</u>	
Consultant:	<input checked="" type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name: <u></u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	<u></u>	
Consultant:	<input type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>

Name: <u></u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	<u></u>	
Consultant:	<input type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>

Name: <u></u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	<u></u>	
Consultant:	<input type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>



Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Fees Being Claimed

File # EB- 2013-0301

Process Participation of Intervenor in Board P

Party BOMA

HST Rate: 13%

Individual Whose Fees are Being Claimed	Hourly rate	Eligible Activities			Subtotal Fees	HST	Total
		Written comments on questions listed in the cover letter (up to 20 hours)	Preparation, attendance and report on Stakeholder Conference (up to 15 hours)	Written comments on Stakeholder Conference issues (up to 10 hours)			
Tom Brett	\$330.00	3.50	12.00	0.50	\$5,280.00	\$686.40	\$5,966.40
Marion Fraser	\$330.00	15.00			\$4,950.00	\$643.50	\$5,593.50
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00
Total		18.50	12.00	0.50	\$10,230.00	\$1,329.90	\$11,559.90
Total legal/consultant fees					\$11,559.90		

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB-	2013-0301	Process:	Participation of Intervenors in Board Proceedings
Party:	BOMA		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	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

1/

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB-	2013-0301	Process:	Participation of Intervenors in Board Proceedings
Party:	BOMA		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

		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

2/

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB-	2013-0301	Process:	Participation of Intervenors in Board Proceedings
Party:	BOMA		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	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

3/

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB-	2013-0301	Process:	Participation of Intervenor in Board Proceeding
Party:	BOMA		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	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

4/

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB-	2013-0301	Process:	Participation of Intervenors in Board Proceedings
Party:	BOMA		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	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

5/

Prebill # 750359 Session: 418595 Bill to: 27/May/14

F1588
Fraser & Company

CLIENT LAWYER: Brett, Thomas
MATTER_LAWYER: Brett, Thomas
LAWYER ON BILL: Brett, Thomas
LAST BILL DATE: NONE

135679
BOMA - Review of Framework
Governing the Participation of
Intervenors in Board Proceedings
- Consultation and Stakeholder
Conference; Board File No. EB-
2013-0301

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS
Fraser & Company
33 Harbour Square, Suite 502
Toronto, ON
M5J 2G2
Canada
Attn: Marion Fraser

Page 1
PAYOR: F1588 MAIN
BILL: F1588 MAIN

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>
08/Oct/13	Thomas Brett	16.00	5,280.00	[] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		16.00	5,280.00	[] WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

TRUST SUMMARY – A Trust was not opened on this Matter

FOGLER, RUBINOFF
BILLING STATEMENT TO 27/May/14

F1588 **135679**

Fraser & Company
 BOMA - Review of Framework Governing
 the Participation of Intervenor in Board
 Proceedings - Consultation and
 Stakeholder Conference; Board File No.
 EB-2013-0301
 Prebill No.: 750359
 Session ID: 418595

LAST BILL DATE: NONE

LAST BILLED TO DATE: NONE

FILE LAWYER: Brett, Thomas

ASSIGNED LAWYER: Brett, Thomas

CLIENT ADDRESS

Fraser & Company
 33 Harbour Square, Suite 502
 Toronto, ON M5J 2G2
 CANADA

BILLING ADDRESS

33 Harbour Square, Suite 502
 Toronto, ON
 M5J 2G2

Fraser, Marion

DETAIL OF UNBILLED TIME

<u>DATE</u>	<u>TIME ID</u>	<u>TIMEKEEPER</u>		<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
03/Sep/13	2282254	415	TB	3.50	330.00	1,155.00	Preparation of submission to Board
25/Sep/13	2294550	415	TB	1.50	330.00	495.00	Reviewing material; Preparation of BOMA's comments
26/Sep/13	2298906	415	TB	3.20	330.00	1,056.00	Reviewing Board materials; Filing BOMA's comments with Board
27/Sep/13	2300171	415	TB	0.30	330.00	99.00	Telephone discussion with Amanda Klein
07/Oct/13	2300500	415	TB	0.50	330.00	165.00	Preparation of notes to supplement written material filed
07/Oct/13	2300501	415	TB	2.00	330.00	660.00	Preparation
08/Oct/13	2301313	415	TB	1.00	330.00	330.00	Preparation for Hearing
08/Oct/13	2301314	415	TB	4.00	330.00	1,320.00	Attending Hearing
			TOTAL TIME	16.00		5,280.00	

Appendix B

DOCKET

EB-2013-0301			BOMA Toronto					
Board File Number			Party Name					
Fraser & Company								
Date	Explanation	Consultant	Preparation	Attendance TC	Attendance SC	Attendance OH	Argument	Total
9/24/2013		MEF	5					5
9/25/2013		MEF	5					5
9/26/2013		MEF	5					5
Total			15	0	0	0	0	15