

BY EMAIL AND MAIL

June 24, 2014

Attn: Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Email: BoardSec@ontarioenergyboard.ca

**Re: Ontario Power Generation
2014/2015 Payment Amounts Application
Board File Number: EB-2013-0321**

In its letter dated January 17 approving Lake Ontario Waterkeeper's ("Waterkeeper") application to intervene in the abovementioned matter, the Ontario Energy Board ("the Board") also indicated our organization would be eligible to apply for costs. On June 12, the Board noted it would allow parties to file interim cost requests by June 24. Pursuant to those decisions, please find the attached Waterkeeper's costs claim.

The requested costs are to cover the legal work of Pippa Feinstein, our case manager. Our costs application has been drafted according to the requirements in the Board's *Practice Direction on Cost Awards*. The period for which we are claiming spans from May 16, when Ms. Feinstein ceased to be an employee of our organization, to June 11, the day before the oral hearing began.

Two hard copies of these documents will be sent to the Board.

Sincerely,



Mark Mattson
President and Waterkeeper

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.
- 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.

File # EB-	2013-0321	Process:	OPG 2014/2015 Payments
Party:	Lake Ontario Waterkeeper	Affiant's Name:	Pippa Feinstein
HST Number:		HST Rate Ontario:	13.00%
Full Registrant	<input type="checkbox"/>	Qualifying Non-Profit	<input type="checkbox"/>
Unregistered	<input checked="" type="checkbox"/>	Tax Exempt	<input type="checkbox"/>
Other	<input type="checkbox"/>		

Affidavit

I, Pippa Feinstein, 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.

Pippa Feinstein
Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto
in the Province/State of Ontario, on June 24, 2014,
(date)

Vinh The Tran
Commissioner for taking Affidavits



Vinh The Tran, Esq.
BARRISTER & SOLICITOR, ATTORNEY-AT-LAW, NOTARY PUBLIC,
COMMISSIONER OF OATHS/AFFIDAVITS ETC., LSUC# 57761C
188-639 Dupont Street, Toronto, Ontario M6G 1Z4
www.ONeLAW.ca www.HouseCallNotary.ca
E-mail: vinhtranlaw@hotmail.com Call or Text 647-209-7389

File # EB- 2013-0321 Process: OPG 2014/2015 Payments
Party: Lake Ontario Waterkeeper

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees

\$1,300.00
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Ontario Energy Board
COST CLAIM FOR HEARINGS
Affidavit and Summary of Fees and Disbursements



Disbursements	\$0.00
HST	\$169.00
Total Cost Claim	\$1,469.00

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0321</u>	Process: <u>OPG 2014-2015 Payments</u>
Party: <u>Lake Ontario Waterkeeper</u>	Name: <u>Pippa Feinstein</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	<u>1</u>
Consultant: <input type="checkbox"/>	
CV attached: <input checked="" type="checkbox"/>	CV not required: <input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	9.00	\$100.00	\$900.00	\$117.00	\$1,017.00
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	4.00	\$100.00	\$400.00	\$52.00	\$452.00
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$1,300.00	\$169.00	\$1,469.00

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
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

Pippa Feinstein
166 Howland Avenue
Toronto, Ontario M5R 3B6
Phone: 647 923 4927
Email: feinstei@ualberta.ca

Lake Ontario Waterkeeper
231 Wallace Avenue, 2nd Floor
Toronto, ON M6H 1V5
Email: admin@waterkeeper.ca

June 24, 2014

To: Lake Ontario Waterkeeper,

Re: EB-2013-0321 OPG Payments 2014-15, Interim Account

The following are my expenses from the end of my articles at Waterkeeper on May 16, until June 11 in the abovementioned matter.

Total fees: \$1,300.00.

No Disbursements.

Total HST: \$169.00.

Total expenses: \$1,469.00.

These fees cover 9 hours of preparation for the Settlement Conference and Oral Hearing at an hourly rate of \$100.00 pursuant to the OEB's tariff for articling students and new calls to the bar. These fees also include \$400.00 for attending and participating in the first day and second morning of the Settlement Conference.

The following is a more detailed docket of my hours explaining my work:

May 20:	2.5 hrs , preparing for the Settlement Conference: reviewed Board's procedural orders, past IRs, Technical Conference transcripts, OPG undertakings, and past Waterkeeper submissions in this matter
May 21:	Attended and participated in the Settlement Conference all day
May 22:	Attended Settlement Conference in the morning. However, I am only requesting \$400 my attendance at the Settlement Conference rather than an hourly rate for the full time I was there

- June 2:** 0.5 hr, reviewing the final draft of the Settlement Proposal and communicating with Waterkeeper to obtain instructions for how to proceed with the Settlement Conference
- June 10:** 3.0 hrs, preparing for the oral hearing: reviewed information shared during the settlement conference, Darlington Refurbishment's Environmental Assessment (EA), the CNSC EA decision, EA Follow-up Plan, and Darlington evidence filed with the OEB in this matter.
- June 11:** 3.0 hrs, preparing for the oral hearing: reviewed past IRs, OPG undertakings, and OPG's application and filed evidence.

If you have any questions or concerns, please do not hesitate to contact me by phone or email.

Sincerely,



Pippa Feinstein

Pippa Feinstein

166 Howland Avenue
Toronto, Ontario M5R 3B6
Phone: 647 923 4927
Email: feinstei@ualberta.ca

Education

JD, (2013)

University of Alberta, Edmonton, AB

BA (Honours), (2009)

McGill University, Montreal, QC

- Received a faculty scholarship for all four years

Experience

Articles with Lake Ontario Waterkeeper, Toronto, ON (2013-2014)

- Law Foundation of Ontario Public Interest Articling Fellowship
- Appeared before the Ontario Energy Board and Toronto City Council, participated in several Stakeholder Advisory Committees for various proposed projects, drafted comments on proposed legislation and policies, drafted comments on Environmental Assessments.

Year-long Practicum with Legal Aid Alberta, Edmonton, AB (2012-2013)

- Helped research and prepare immigration law files for hearings before the Immigration and Refugee Board and an appeal before the Federal Court

Legal Researcher, Pro Bono Students Canada, Edmonton, AB (2010 – 2013)

Pro Bono Students Canada (PBSC), Edmonton, AB

- Contributed to three large research projects, two of which were for the Environmental Law Centre in Edmonton and involved various issues of public interest environmental law including Environmental Assessments

Caseworker, Student Legal Services, Edmonton, AB (2010-2011)

- Provided legal assistance to individuals facing summary criminal charges. Aided individuals in pursuing Alternative Dispute Resolution processes, and also appeared on their behalf in Provincial Court.

Intern, Legal Aid Society, Public Housing Office, Manhattan, NY (November – December, 2010)

- Regularly observed Manhattan's Housing Court and assisted the office with intakes

Called to the Bar of Ontario, June 19, 2014