



Fogler, Rubinoff LLP
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August 25, 2014

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 137501

VIA RESS, EMAIL AND COURIER

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

Attention: Kirsten Walli
Board Secretary

Dear Ms. Walli:

**Re: Union Gas Limited, 2014 Rates
Board File No. EB-2013-0365**

Please find attached BOMA's cost claim.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd
Encls.

cc: Chris Ripley, Union Gas *(by e-mail)*
Crawford Smith, Torys *(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- 2013-0365 Process: Union Gas 2014 Rates
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.


Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto, in the Province/State of Ontario, on Aug. 25/14 (date)


Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2013-0365 Process: Union Gas 2014 Rates

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	36,762.00
Disbursements	\$	11.99
HST	\$	4,780.62
Total Cost Claim	\$	41,554.61

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: c/o 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>2013-0365</u>	Process: <u>Union Gas 2014 Rates</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 <input type="text" value="35"/>
Consultant <input type="checkbox"/>	Hourly Rate: <input type="text" value="\$330"/>
Analyst <input type="checkbox"/>	HST Rate Charged (enter %): <input type="text" value="13.0%"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached <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		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	40.9	\$ 330.00	\$ 13,497.00	\$ 1,754.61	\$ 15,251.61
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	14.5	\$ 330.00	\$ 4,785.00	\$ 622.05	\$ 5,407.05
Oral Hearing					
Preparation	38.5	\$ 330.00	\$ 12,705.00	\$ 1,651.65	\$ 14,356.65
Attendance	17.5	\$ 330.00	\$ 5,775.00	\$ 750.75	\$ 6,525.75
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 36,762.00	\$ 4,779.06	\$ 41,541.06

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



File # EB- 2013-0365

Process: Union Gas 2014 Rates

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier	\$ 11.99	\$ 1.56	\$ 13.55
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ 11.99	\$ 1.56	\$ 13.55

Prebill # 762536 Session: 425632 Bill to: 22/Aug/14

FOGLER, RUBINOFF LLP

Page 1

Client: 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

Matter: 137501
BOMA - Union Gas Limited, 2014
Rate Case; Board File No. EB-
2013-0365

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>
19/Jun/14	Thomas Brett	111.40	36,762.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES			111.40	36,762.00	<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>
23/Jun/14	7	Courier & Delivery	Y	11.99			
TOTAL UNBILLED DISB				11.99	<input type="checkbox"/> WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: F1588/**137501**
Fraser & Company
BOMA - Union Gas Limited, 2014 Rate
Case; Board File No. EB-2013-0365
Prebill No.: 762536
Session ID: 425632

LAST BILL DATE: NONE
LAST BILLED TO DATE: NONE
FILE LAWYER: Brett, Thomas
ASSIGNED LAWYER: Brett, Thomas

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

PAYOR DEFAULT 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>
09/Dec/13	2337232	415 TB	2.00	330.00	660.00	Reviewing evidence
13/Dec/13	2338578	415 TB	1.50	330.00	495.00	Reviewing evidence
15/Dec/13	2338581	415 TB	1.50	330.00	495.00	Reviewing evidence
16/Dec/13	2342004	415 TB	1.00	330.00	330.00	Reviewing evidence
02/Jan/14	2366557	415 TB	1.00	330.00	330.00	Reviewing evidence
03/Jan/14	2366555	415 TB	1.00	330.00	330.00	Reviewing evidence
05/Jan/14	2366553	415 TB	1.00	330.00	330.00	Reviewing evidence
06/Jan/14	2366551	415 TB	1.00	330.00	330.00	Reviewing evidence
07/Jan/14	2366547	415 TB	1.00	330.00	330.00	Reviewing evidence
08/Jan/14	2366544	415 TB	1.00	330.00	330.00	Reviewing evidence
09/Jan/14	2366541	415 TB	1.00	330.00	330.00	Reviewing evidence
10/Jan/14	2366538	415 TB	1.00	330.00	330.00	Reviewing evidence
12/Jan/14	2366522	415 TB	1.00	330.00	330.00	Reviewing evidence
13/Jan/14	2366518	415 TB	1.00	330.00	330.00	Reviewing evidence
14/Jan/14	2366512	415 TB	1.00	330.00	330.00	Reviewing evidence
19/Jan/14	2354189	415 TB	1.00	330.00	330.00	Reviewing evidence
12/Mar/14	2385706	415 TB	2.00	330.00	660.00	Reviewing evidence
13/Mar/14	2385721	415 TB	5.00	330.00	1,650.00	Reviewing evidence; Preparation for Settlement Conference
14/Mar/14	2385722	415 TB	8.00	330.00	2,640.00	Reviewing evidence; Preparation for Settlement Conference
17/Mar/14	2385690	415 TB	2.00	330.00	660.00	Preparation for Hearing
17/Mar/14	2385693	415 TB	7.00	330.00	2,310.00	Attending Hearing
18/Mar/14	2385694	415 TB	2.00	330.00	660.00	Preparation for Hearing
18/Mar/14	2385695	415 TB	7.50	330.00	2,475.00	Attending Hearing
19/Mar/14	2385696	415 TB	1.50	330.00	495.00	Preparation for Hearing
19/Mar/14	2385697	415 TB	3.00	330.00	990.00	Attending Hearing
20/Mar/14	2387855	415 TB	0.50	330.00	165.00	Reviewing Settlement Proposal
08/Apr/14	2402248	415 TB	1.50	330.00	495.00	Reviewing Parkway Obligation draft
09/Apr/14	2402249	415 TB	3.80	330.00	1,254.00	Reviewing materials, including Parkway Obligation
23/Apr/14	2404563	415 TB	1.30	330.00	429.00	Reviewing Settlement Agreement; Discussion with Union Gas
23/Apr/14	2404565	415 TB	1.00	330.00	330.00	Reviewing evidence for Hearing
13/May/14	2413374	415 TB	4.50	330.00	1,485.00	Reviewing proposal and evidence
13/May/14	2413378	415 TB	2.00	330.00	660.00	Attending PDO Relief Proposal Review conference call
15/May/14	2413882	415 TB	2.50	330.00	825.00	Reviewing recendent drafts of Settlement Agreement
15/May/14	2413884	415 TB	2.00	330.00	660.00	Attending conference call
16/May/14	2414970	415 TB	1.00	330.00	330.00	Reviewing material on costs; Reviewing final version of PO document
20/May/14	2415756	415 TB	1.20	330.00	396.00	Reviewing revised draft and relevant evidence
22/May/14	2417616	415 TB	0.50	330.00	165.00	Preparation for teleconference
22/May/14	2417617	415 TB	1.50	330.00	495.00	Attending teleconference
27/May/14	2419568	415 TB	1.00	330.00	330.00	Reviewing final draft and providing comments
28/May/14	2420404	415 TB	1.00	330.00	330.00	Reviewing final draft Settlement Agreement; Telephone

**FOGLER, RUBINOFF
BILLING STATEMENT TO 22/Aug/14**

Payor/Matter: F1588/**137501**
Fraser & Company
BOMA - Union Gas Limited, 2014 Rate
Case; Board File No. EB-2013-0365
Prebill No.: 762536
Session ID: 425632

LAST BILL DATE: NONE
LAST BILLED TO DATE: NONE

FILE LAWYER: Brett, Thomas
ASSIGNED LAWYER: Brett, Thomas

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

PAYOR DEFAULT ADDRESS
33 Harbour Square, Suite 502
Toronto, ON
M5J 2G2

Fraser, Marion

<u>DATE</u>	<u>TIME ID</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
28/May/14	2420405	415 TB	3.00	330.00	990.00	discussion with Union Gas staff
29/May/14	2421093	415 TB	1.90	330.00	627.00	Reviewing Leamington evidence and Union Gas distribution contracts
30/May/14	2421753	415 TB	0.40	330.00	132.00	Reviewing evidence; Conference call re Parkway Obligations; Reviewing documents from Ian Mondrow
02/Jun/14	2422881	415 TB	2.00	330.00	660.00	Reviewing final version of PDO and signing off
03/Jun/14	2422883	415 TB	2.50	330.00	825.00	Preparation of cross-examination
04/Jun/14	2426230	415 TB	2.00	330.00	660.00	Reviewing evidence on cost allocation
09/Jun/14	2426259	415 TB	0.80	330.00	264.00	Reviewing intervenor evidence and IRs to assess whether to cross-examine
10/Jun/14	2426262	415 TB	2.50	330.00	825.00	Reviewing Transcript
11/Jun/14	2426838	415 TB	0.50	330.00	165.00	Reviewing Transcript; Preparing Argument
17/Jun/14	2430901	415 TB	2.00	330.00	660.00	Reviewing Transcript
18/Jun/14	2430903	415 TB	7.00	330.00	2,310.00	Drafting Argument
19/Jun/14	2432242	415 TB	5.50	330.00	1,815.00	Drafting Argument
TOTAL TIME			111.40		36,762.00	

DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
23/Jun/14	5732617	7		11.99	Courier & Delivery
TOTAL DISB				11.99	14:06 tb Courier: Blizzard# 7187065 ontario energy board-2300 Yonge St-natalia

Filter

Disb ID

5732617

Disbursement Details

Client	F1588	Fraser Company
Matter	137501	BOMA - Union Gas Limited, 2014 Rate Case
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

14:06 tb Courier: Blizzard# 7187065 ontario energy board-2300 Yonge St-natalia