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December 10, 2014

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 143129

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: EB-2014-0145 - BOMA Cost Claim

Please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

A handwritten signature in black ink that reads "Tom Brett per" followed by a circular mark.

Thomas Brett

TB/dd

Encls.

cc: Karen Hockin, Union Gas (*via email*)
Marion Fraser, Fraser & Company (*via email*)

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.
Rate: _____ Country: _____
- 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.

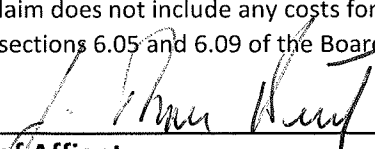
Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- <u>2014-0145</u>	Process: <u>Union Gas 2013 Earnings Sharing Mechanism</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(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 Dec. 1/14.
(date)


Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2014-0145 Process: Union Gas 2013 Earnings Sharing Mechanism

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	12,804.00
Disbursements	\$	175.24
HST	\$	1,687.30
Total Cost Claim	\$	14,666.54

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: c/o Debbie Dey
77 King Street West, Suite 3000
PO Box 95, TD Centre North Tower
Toronto, ON M5K 1G8

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2014-0145</u>	Process: <u>Union Gas 2013 Earnings Sharing Mechanism</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	1971	35
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: \$330
<input checked="" type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): 13.0%

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	23.60	\$ 330.00	\$ 7,788.00	\$ 1,012.44	\$ 8,800.44
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	6.00	\$ 330.00	\$ 1,980.00	\$ 257.40	\$ 2,237.40
Attendance	4.00	\$ 330.00	\$ 1,320.00	\$ 171.60	\$ 1,491.60
Proposal Preparation	0.70	\$ 330.00	\$ 231.00	\$ 30.03	\$ 261.03
Argument					
Preparation	4.50	\$ 330.00	\$ 1,485.00	\$ 193.05	\$ 1,678.05
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 12,804.00	\$ 1,664.52	\$ 14,468.52

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0145

Process: Union Gas 2013 Earnings Sharing Mechanism

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Scanning/Photocopy	\$ 118.15	\$ 15.36	\$ 133.51
Printing			\$ -
Courier	\$ 57.09	\$ 7.42	\$ 64.51
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ 175.24	\$ 22.78	\$ 198.02

Prebill # 783455 Session: 435334 Bill to: 28/Nov/14

Client: F1588

Fraser & Company

Matter: 143129

BOMA – Union Gas Limited, 2013
Earnings Sharing Mechanism

CLIENT LAWYER: Brett, Thomas

MATTER_LAWYER: Brett, Thomas

LAWYER ON BILL: Brett, Thomas

LAST BILL DATE: NONE

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS

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

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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>
				[] AS DOCKETED		
25/Sep/14	Thomas Brett	38.80	12,804.00		415	TB
	TOTAL UNBILLED FEES	38.80	12,804.00	[] 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>
21/Jul/14	1	Prints	Y	55.80			
21/Jul/14	1CC	Colour Copies	Y	30.00			
21/Jul/14	4	Binding Supplies	Y	32.35			
25/Sep/14	7	Courier & Delivery	Y	57.09			
		TOTAL UNBILLED DISB		175.24	[] WRITE OFF		
		TOTAL ADJUSTMENTS					
		TOTAL DISB THIS BILL					

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: F1588/**143129**
Fraser & Company
BOMA – Union Gas Limited, 2013
Earnings Sharing Mechanism
Prebill No.: 783455
Session ID: 435334

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

DATE	TIME ID	TIMEKEEPER	HOURS	RATE	AMOUNT	DESCRIPTION
24/Apr/14	2404583	415 TB	1.00	330.00	330.00	Reviewing materials
29/Apr/14	2408564	415 TB	1.00	330.00	330.00	Reviewing material
30/Apr/14	2408582	415 TB	2.00	330.00	660.00	Reviewing presentation material
01/May/14	2407622	415 TB	5.00	330.00	1,650.00	Reviewing gas supply evidence, earlier cases
02/May/14	2408025	415 TB	1.10	330.00	363.00	Reviewing materials
02/May/14	2408028	415 TB	2.00	330.00	660.00	Reviewing evidence
05/May/14	2409223	415 TB	5.50	330.00	1,815.00	Reviewing evidence
06/May/14	2411661	415 TB	3.00	330.00	990.00	Reviewing evidence; Preparing IRs
27/May/14	2419574	415 TB	0.50	330.00	165.00	Reviewing evidence
02/Jun/14	2422879	415 TB	2.00	330.00	660.00	Revising and adding to IRs
23/Jun/14	2433103	415 TB	0.50	330.00	165.00	Reviewing evidence; Preparing IRs
06/Aug/14	2455586	415 TB	3.00	330.00	990.00	Reviewing evidence and IRs; Preparing for Settlement Conference
07/Aug/14	2455588	415 TB	3.00	330.00	990.00	Reviewing IRs; Preparing for Settlement Conference
07/Aug/14	2455590	415 TB	4.00	330.00	1,320.00	Attending Settlement Conference
08/Aug/14	2461573	415 TB	0.30	330.00	99.00	Preparation of draft issues
20/Aug/14	2463781	415 TB	0.40	330.00	132.00	Reviewing Settlement Agreement
25/Sep/14	2484386	415 TB	4.50	330.00	1,485.00	Preparation of Argument
TOTAL TIME			38.80		12,804.00	

DETAIL OF UNBILLED DISBURSEMENTS

DATE	DISB ID	CODE	QUAN	AMOUNT	DESCRIPTION
01/May/14	5653191	1 Prints	2.00	0.60	Dey Debbie
01/May/14	5653194	1 Prints	12.00	3.60	Dey Debbie
01/May/14	5659923	1CC Colour Copies	12.00	12.00	
29/May/14	5699979	7 Courier & Delivery		15.14	08:05 tb Courier: Blizzard# 7179168 ont energy board-2300 Yonge St-nicolla
02/Jul/14	5744066	7 Courier & Delivery		29.96	15:07 TB Courier: Blizzard# 7189811 Ontario Energy Board-2300 Yonge St-nicole
21/Jul/14	5767054	1 Prints	2.00	0.60	Dey Debbie
21/Jul/14	5767055	1 Prints	1.00	0.30	Dey Debbie
21/Jul/14	5767101	1 Prints	169.00	50.70	Dey Debbie
21/Jul/14	5774115	4 Binding Supplies		32.35	
21/Jul/14	5774236	1CC Colour Copies	18.00	18.00	
25/Sep/14	5869524	7 Courier & Delivery		11.99	14:09 TB Courier: Blizzard# 7217306 Ontario Energy Board-2300 Yonge St-Nicole
TOTAL DISB				175.24	

Filter

Disb ID

5699979

Disbursement Details

Client	F1588	Fraser Company
Matter	143129	BOMA – Union Gas Limited, 2013 Earnings
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	\$13.75	Currency Code	CDN
Base Amt	\$13.75	Base Qty	0.000000
Tobill Amt	\$15.14		
Billed Amt	\$15.14	Bill Qty	0.000000

Narrative

08:05 tb Courier: Blizzard# 7179168 ont energy board-2300 Yonge St-nicolla

Filter

Disb ID

5744066

Disbursement Details

Client	F1588	Fraser Company
Matter	143129	BOMA – Union Gas Limited, 2013 Earnings
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	\$27.23	Currency Code	CDN
Base Amt	\$27.23	Base Qty	0.000000
Tobill Amt	\$29.96		
Billed Amt	\$29.96	Bill Qty	0.000000

Narrative

15:07 TB Courier: Blizzard# 7189811 Ontario Energy Board-2300 Yonge St-nicole

Filter

Disb ID

5869524

Disbursement Details

Client	F1588	Fraser Company
Matter	143129	BOMA – Union Gas Limited, 2013 Earnings
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

14:09 TB Courier: Blizzard# 7217306 Ontario Energy Board-2300 Yonge St-Nicole