



Fogler, Rubinoff LLP
Lawyers

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December 11, 2014

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 147196

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: Enbridge Gas Distribution Inc., Dawn Access Application and Settlement Agreement
Board File No.: EB-2014-0323**

Please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd
Encls.

cc: Andrew Mandyam, Enbridge Gas Distribution Inc. *(by e-mail)*
Fred Cass, Aird & Berlis *(by e-mail)*
Lawrie Gluck, OEB *(by e-mail)*
Marion Fraser, Fraser & Company *(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.

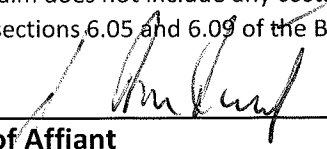
Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- <u>2014-0323</u>	Process: <u>EGDI Dawn Access Settlement Agreement</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"/>	

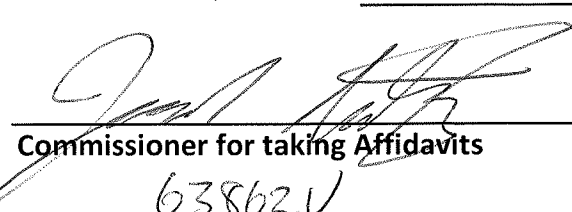
Affidavit

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. 11/14.
(date)


Commissioner for taking Affidavits

63862V

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2014-0323

Process: EGDI Dawn Access Settlement Agreement

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	660.00
Disbursements	\$	-
HST	\$	85.80
Total Cost Claim	\$	745.80

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>2014-0323</u>	Process: <u>EGDI Dawn Access Settlement Agreement</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"/>	<div style="border: 1px solid black; padding: 2px;">1971</div>	<div style="border: 1px solid black; padding: 2px;">35</div>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <div style="border: 1px solid black; padding: 2px;">\$330</div>
<input checked="" type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px;">13.0%</div>

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		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation	2.00	\$ 330.00	\$ 660.00	\$ 85.80	\$ 745.80
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 660.00	\$ 85.80	\$ 745.80

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0323

Process: EGDI Dawn Access Settlement Agreement

Party: BOMA

Service Provider Name: Tom Brett

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

Prebill # 785243 Session: 436418 Bill to: 09/Dec/14

FOGLER, RUBINOFF LLP

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Client: F1588

Fraser & Company

CLIENT LAWYER: Brett, Thomas

MATTER_LAWYER: Brett, Thomas

Matter: 147196

BOMA – Enbridge Gas
Distribution Inc., Dawn Access
Application and Settlement
Agreement; Board File No. EB-
2014-0323

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

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>
03/Dec/14	Thomas Brett	2.00	660.00	[] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		2.00	660.00	[] WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

TRUST SUMMARY – A Trust was not opened on this Matter

FOGLER, RUBINOFF
BILLING STATEMENT TO 09/Dec/14

Payor/Matter: F1588/**147196**
Fraser & Company
BOMA – Enbridge Gas Distribution Inc.,
Dawn Access Application and Settlement
Agreement; Board File No. EB-2014-
0323
Prebill No.: 785243
Session ID: 436418

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>
03/Dec/14	2521472	415 TB	2.00	330.00	660.00	Reviewing evidence
		TOTAL TIME	2.00		660.00	