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January 6, 2015

Reply To: Thomas Brett  
Direct Dial: 416.941.8861  
E-mail: tbrett@foglers.com  
Our File No. 146022

**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, 2015 Rates  
Board File No. EB-2014-0271**

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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)*  
Khalil Viraney, OEB *(by e-mail)*  
Michael Millar, OEB *(by e-mail)*  
Marion Fraser, Fraser & Company *(by e-mail)*  
Bala Gnanam, 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.  
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.

<b>File # EB-</b> <u>2014-0271</u>	<b>Process:</b> <u>Union Gas, 2015 Rates</u>
<b>Party:</b> <u>BOMA</u>	<b>Affiant's Name:</b> <u>Tom Brett</u>
<b>HST Number:</b> <u>R119420859</u>	<b>HST Rate Ontario:</b> <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"/>	

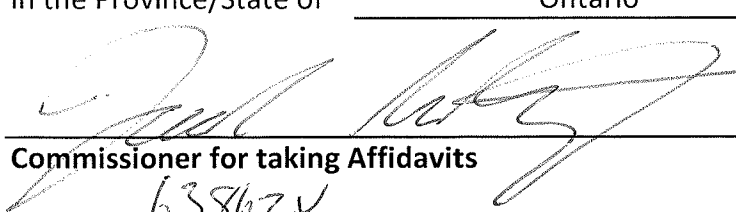
**Affidavit**

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 6.03 and 6.04 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** Jan. 6/15.  
(date)

  
**Commissioner for taking Affidavits**

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2014-0271

Process: Union Gas, 2015 Rates

Party: BOMA

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	10,560.00
Disbursements	\$	11.99
HST	\$	1,374.36
<b>Total Cost Claim</b>	<b>\$</b>	<b>11,946.35</b>

**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>2014-0271</u>		Process: <u>Union Gas, 2015 Rates</u>	
Party: <u>BOMA</u>		Service Provider Name: <u>Tom Brett</u>	
<b>SERVICE PROVIDER TYPE</b> (check one)		Year Called to Bar <div style="border: 1px solid black; padding: 2px; width: 100px; text-align: center;">1971</div>	Completed Years Practising/Years of Relevant Experience <div style="border: 1px solid black; padding: 2px; width: 100px; text-align: center;">35</div>
Legal Counsel <input checked="" type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst <input type="checkbox"/>		Hourly Rate: <div style="border: 1px solid black; padding: 2px; width: 100px; text-align: center;">\$330</div>	
For Consultant/Analyst: <input type="checkbox"/> CV attached <input checked="" type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px; width: 100px; text-align: center;">13.0%</div>	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	12.50	\$ 330.00	\$ 4,125.00	\$ 536.25	\$ 4,661.25
Responses		\$ 330.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	14.00	\$ 330.00	\$ 4,620.00	\$ 600.60	\$ 5,220.60
Attendance	5.50	\$ 330.00	\$ 1,815.00	\$ 235.95	\$ 2,050.95
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 10,560.00	\$ 1,372.80	\$ 11,932.80

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



File # EB- 2014-0271

Process: Union Gas, 2015 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 # 788407    Session: 438528    Bill to: 06/Jan/15

**Client: F1588**

Fraser & Company

**Matter: 146022**

BOMA – Union Gas Limited, 2015  
Rates Application; Board File No.  
EB-2014-0271

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

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>
				<input type="checkbox"/> AS DOCKETED		
09/Dec/14	Thomas Brett	32.00	10,560.00		415	TB
TOTAL UNBILLED FEES		32.00	10,560.00	<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>
31/Oct/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/**146022**  
 Fraser & Company  
 BOMA – Union Gas Limited, 2015 Rates  
 Application; Board File No. EB-2014-  
 0271  
 Prebill No.: 788407  
 Session ID: 438528

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>
23/Sep/14	2480105	415 TB	0.30	330.00	99.00	Preparation of intervention/cost eligibility request letter
29/Oct/14	2500060	415 TB	1.00	330.00	330.00	Reviewing evidence
30/Oct/14	2500069	415 TB	6.20	330.00	2,046.00	Reviewing evidence; Preparing IRs
31/Oct/14	2502914	415 TB	5.00	330.00	1,650.00	Reviewing evidence; Preparing IRs
13/Nov/14	2507600	415 TB	6.00	330.00	1,980.00	Reviewing evidence and IR Responses; Preparing for Settlement Conference
14/Nov/14	2512957	415 TB	1.50	330.00	495.00	Preparation for Settlement Conference
14/Nov/14	2512962	415 TB	5.50	330.00	1,815.00	Attending Settlement Conference (via teleconference)
19/Nov/14	2512971	415 TB	2.00	330.00	660.00	Reviewing material on Union Settlement
23/Nov/14	2513006	415 TB	2.00	330.00	660.00	Reviewing material
04/Dec/14	2522874	415 TB	0.50	330.00	165.00	Reviewing filings
05/Dec/14	2522878	415 TB	1.00	330.00	330.00	Reviewing evidence
09/Dec/14	2523765	415 TB	1.00	330.00	330.00	Reviewing evidence
TOTAL TIME			32.00		10,560.00	

## DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
31/Oct/14	5926132	7		11.99	14:10 tb Courier: Blizzard# 7231255 ontario energy-2300 Yonge St-nicole
TOTAL DISB				11.99	

Filter

Disb ID

5926132

Disbursement Details

Client	F1588	Fraser Company
Matter	146022	BOMA – Union Gas Limited, 2015 Rates App
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

14:10 tb Courier: Blizzard# 7231255 ontario energy-2300 Yonge St-nicole