

April 8, 2015

BY COURIER AND RESS

Ms. Kirsten Walli

Secretary

Ontario Energy Board

2300 Yonge Street, 27th Floor

Toronto M4P 1E4

Dear Ms. Walli:

**Re: Demand Side Management Framework for Natural Gas Distributors
Board File No. EB-2014-0134**

Enclosed please find the supplementary cost claim of Environmental Defence in the above matter. This supplementary cost claim is being filed pursuant to the Board's order of March 27, 2015, which granted the parties an opportunity to submit supplementary cost claims for hourly amounts that are above the original maximums set by the Board where those amounts can be justified.

The supplementary cost claim totals \$3,669.45 plus applicable HST. These additional amounts are attributable to work completed by Environmental Defence's consultant and legal counsel for the working group meetings and the written comments. We have only included in the cost claim amounts which were not included in the original claim.

This supplementary cost claim is reasonable and justified in the circumstances. The subject matter of this proceeding is at the core of Environmental Defence's mandate. Therefore, Environmental Defence played a particularly active role in this proceeding. For example, in preparation for the working group sessions, Environmental Defence's consultant prepared four memos addressing key topics for distribution to the meeting participants. Environmental Defence also prepared a letter to the Board mid-way through the process regarding certain key issues. In these and other ways, Environmental Defence played a particularly constructive and active role. We therefore request that this supplementary claim be approved by the Board.

If this cost claim is approved, we ask that any payments be made out to "Klippensteins, In Trust" and sent to the address listed above.

Please do not hesitate to contact me should anything further be required or of assistance.

Yours Truly,



Kent Elson

cc: Rate-Regulated Natural Gas Distributors

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation 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 Notice of Hearing for Cost Awards. 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.
Rate: _____ Country: _____
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" 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- <u>2014-0134</u>	Process: <u>DSM Framework for Natural Gas Distributors</u>
Party: <u>Environmental Defence</u>	Affiant's Name: <u>Kent Elson</u>
HST Number: <u>872151923RT0001</u>	HST Rate Ontario: <u>6.50%</u>
Full Registrant <input type="checkbox"/>	Qualifying Non-Profit <input checked="" type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

Affidavit

I, Kent Elson, 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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement 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** April 8, 2015
(date)



Commissioner for taking Affidavits

G. CORY WANLESS

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Affidavit and Summary of Fees and Disbursements



File # EB- 2014-0134 **Process:** DSM Framework for Natural Gas Distributors

Party: Environmental Defence

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$3,669.45
Disbursements	\$0.00
HST	\$238.51
Total Cost Claim	\$3,907.96

Detail of Fees and Disbursements Being Claimed

Statement of Fees Being Claimed

Statement of Fees being claimed for Eligible Activity is found on the second tab of this workbook.

Statement(s) of Disbursements Being Claimed

Statement of Disbursements being claimed is found on the third tab of this workbook.



HST Rate: 6.5%

1 of 1

Ontario Energy Board

COST CLAIM FOR CONSULTATIONS

Affidavit and Summary of Fees and Disbursements



Individual Whose Costs are Being Claimed

Name:	<u>Jack Gibbons</u>		
		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>		
Consultant:	<input checked="" type="checkbox"/>	35	
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name:	<u>Kent Elson</u>		
		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	5	
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name:	<u>Kiel Ardal</u>		
		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	3	
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name:	<u></u>		
		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>		
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>

Name:	<u></u>		
		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>		
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>



ONTARIO
CLEAN AIR
ALLIANCE

INVOICE: EB-2014-0134#1

To: Klippensteins; Attention: Kent Elson

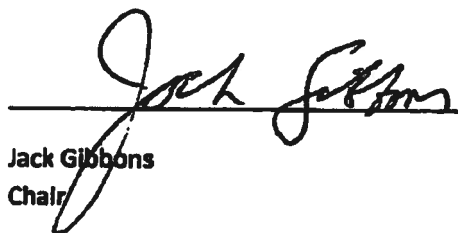
From: Ontario Clean Air Alliance

Re: Fee for professional services of Jack Gibbons on behalf of Environmental Defence with respect to Ontario Energy Board "Demand Side Management Framework for Natural Gas Distributors" proceeding for the period April 13, 2014 to September 30, 2014 inclusive.

Date: September 30, 2014

1.	Preparing April 2014 memo to Josh Wasylyk re: OEB's DSM questions		
	10.1 hours x \$250/hour	\$2525.00	Meeting #1
2.	Attending April 25, 2014 Working Group Meeting		
	6.83 hours x \$250/hour	\$1707.50	
3.	Preparing May 2014 memo to Josh Wasylyk re: DSM budgets, targets and Shareholder Incentives		
	2.66 hours x \$250/hour	\$665.00	Meeting #2
4.	Preparing June 2014 memo to Josh Wasylyk re: DSM questions		
	1.58 hours x \$250/hour	\$395.00	
5.	Attending June 18, 2014 Working Group Meeting		
	6.5 hours x \$250/hour	\$1625.00	
6.	Preparing July 2014 memo to Josh Wasylyk re: July 7 th email		
	1.75 hours x \$250/hour	\$437.50	Meeting #3
7.	Attending July 25, 2014 Working Group Meeting		
	6.66 hours x \$250/hour	\$1665.00	
8.	Drafting letter to Kirsten Walli re: Board Staff's proposals		
	5.67 hours x \$250/hour	\$1417.50	

9. Drafting Environmental Defence's submissions re: Draft Report of the Board		} comments
9.41 hours x 250/hour	<u>\$2352.50</u>	
Sub-Total	\$12,790.00	
HST Registration No. 85281 3997 RT0001	<u>\$1,662.70</u>	
TOTAL	\$14,452.70	



Jack Gibbons
Chair

KLIPPENSTEINS
Barristers & Solicitors
160 John Street, Suite 300
Toronto, Ontario M5V 2E5

Telephone: (416) 598-0288

Fax: (416) 598-9520

Environmental Defence Canada Inc.
116 Spadina Ave
Suite 300
Toronto, ON M5V 2K6

February 24, 2015

File #: 2018
Invoice #: 3467

RE: DSM Framework Consultation - 2014-0134

DATE	DESCRIPTION	HOURS	LAWYER
May-12-14	Confer with J. Gibbons	0.20	KE
May-13-14	Review minutes of last meeting; Review various memos and materials; Confer with J. Gibbons re attending meeting scheduled for tomorrow; Review correspondence from J. Wasyluk re tomorrow's meeting being cancelled	2.90	KE
Aug-06-14	Confer K. Ardal; confer J. Gibbons; review draft letter	0.20	MK
	Confer M. Klippenstein; confer J. Gibbons; review and revise letter to Board re initial proposals re DSM framework	2.50	KA
Sep-18-14	Review draft DSM framework and guidelines	1.50	KE
Sep-23-14	Draft comments on DSM guidelines	2.05	KE
Sep-25-14	Draft comments on DSM guidelines	8.00	KE
Sep-26-14	Draft comments on DSM guidelines	3.00	KE
Oct-07-14	Review and revise comments on DSM framework and guidelines	0.75	KE
Oct-14-14	Review comments from client; confer with J. Gibbons; revise comments on the guidelines	1.00	KE
Oct-15-14	Finalize and file comments	0.50	KE
Nov-03-14	Compile compendium re DSM Comments; draft correspondence to the Board; file and serve materials	1.25	KE

These hours not included in either claim.

Meeting #3 (previously unclaimed)

Comments (3.46 of these hours not included in original claim)

Totals	23.85	\$4,086.50
HST on Fees		\$531.25

FEE SUMMARY

Lawyer	Hours	Amount
Murray Klippenstein	0.20	\$66.00
Kent Elson	21.15	\$3,595.50
Kiel Ardal	2.50	\$425.00

DISBURSEMENTS

Courier expenses	18.07
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Totals	\$18.07
HST on Disbursements	\$2.35

TOTAL FOR THIS INVOICE

\$4,638.17

Previous Balance

\$0.00

Previous Payments

\$0.00

Payment From Trust Towards This Invoice

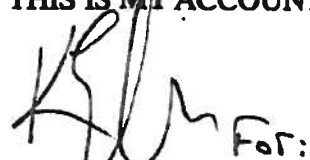
\$0.00

TOTAL DUE

\$4,638.17

Any disbursements not posted to your account on the date of this statement will be billed at a later date

THIS IS MY ACCOUNT HEREIN:

A handwritten signature in black ink, appearing to read 'Murray Klippenstein', is written over the printed name.**MURRAY KLIPPENSTEIN****E. & O. E.**

Total Tax: \$533.60

HST #: 87215 1923 RT0001

* items are HST exempt

Accounts are due when rendered. Pursuant to the Solicitor's Act, interest at the rate of 5.00% per annum may be charged on amounts unpaid thirty days after the date of this account