

May 1, 2015

VIA RESS AND COURIER

Ms. Kirsten Walli
ONTARIO ENERGY BOARD
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, Ontario
M4P 1E4

Ian A. Mondrow
Direct: 416-369-4670
ian.mondrow@gowlings.com

Assistant: Cathy Galler
Direct: 416-369-4570
cathy.galler@gowlings.com

File No. T998384

Dear Ms. Walli:

Re: EB-2014-0134: Demand Side Management Framework for Natural Gas Distributors.

Industrial Gas Users Association (IGUA) Additional Statement of Costs.

In its *Decision and Order on Cost Awards* herein dated March 27, 2015, the Board included the following finding:

The OEB finds that the hours allocated for this consultation may not have been sufficient given its eventual scope and the time required for responsible participation. The OEB will exercise its discretion to consider claims for a reasonable amount of additional time spent by any of the parties, provided such claims are properly explained and justified.

IGUA was one of the three parties that excluded hours in fact spent from its initial cost claim in order for the hours initially claimed to come within the maximum hours previously stipulated by the Board.

Additional cost claims pursuant the foregoing finding were invited, to be filed by April 8th. IGUA did not file an additional cost claim at that time. Our initial review of the foregoing passage indicated to us that some particular justification for the time spent in excess of the Board's guidelines was required to support an additional claim. Other than the prudent but necessary expenditure of time on the matter, we did not have a particular additional justification to offer.

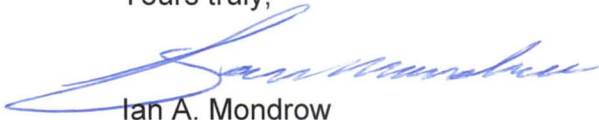
OEB Staff has recently contacted us to determine whether IGUA would be submitting an additional cost claim. That contact prompted us to reread the foregoing passage, and we now read it differently. We now read the passage to indicate that while claims for any additional time need to be properly explained and justified as they would be in the normal course of providing a Statement of Costs, the Board has already determined that the hours initially allocated may not have been sufficient given the eventual scope of the consultation and the time required for responsible participation and additional hours are, if properly explained, justified. Accordingly we have determined it appropriate to submit an additional small claim on IGUA's behalf, and ask that the Board accept this additional claim despite it being filed late.

The supporting material provided with this additional cost claim includes all docket entries for time incurred in the matter, with those entries that were included in IGUA's initial cost claim herein struck out. The remaining docket entries include a narrative of how the additional time was spent. It is respectfully submitted that these narratives reflect that such additional time was appropriately spent and merits an additional award of costs, pursuant to the Board's finding excerpted above.

Please also note that on the Statement of Disbursements for Ian Mondrow, we have included an amount of \$8.03 for a courier delivery to the Board for filing this Statement of Costs. As we have not been invoiced for this charge as of yet, we enclose the waybill for this delivery. This disbursement charge is included in the totals attested to in the Affidavit and Summary of Fees and Disbursements.

IGUA appreciates the Board's consideration of this additional claim for costs.

Yours truly,



Ian A. Mondrow

IAM:cag
Encl.

cc: All Rate Regulated Natural Gas Distributors (via e-mail)
S. Rahbar, D. Prokop, G. Carrière (IGUA) (via e-mail)
Vince Mazzone (Board Staff) (via e-mail)

TOR_LAW\ 8685537\1

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>Industrial Gas Users Association</u>	Affiant's Name: <u>Ian Mondrow (Gowlings)</u>
HST Number: <u>89659 3323 RT0001</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, Ian Mondrow, of the City/Town of Thornhill
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 30 April 2015
(date)


Commissioner for taking Affidavits
CINDY KAM

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: Industrial Gas Users Association

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$2,435.00
Disbursements	\$8.03
HST	\$317.59
Total Cost Claim	\$2,760.62

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.

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



Individual Whose Costs are Being Claimed

Name: Ian Mondrow

Counsel/Articling Student/Paralegal: ☒

Consultant: ☐

CV attached: ☐

**Completed Years
Practicing/Years of relevant
experience**

24

CV not required: ☒

Name: Ashley Staley

Counsel/Articling Student/Paralegal: ☒

Consultant: ☐

CV attached: ☐

**Completed Years
Practicing/Years of relevant
experience**

CV not required: ☒

Name: Cathy Galler

Counsel/Articling Student/Paralegal: ☒

Consultant: ☐

CV attached: ☐

**Completed Years
Practicing/Years of relevant
experience**

5

CV not required: ☒

Name: _____

Counsel/Articling Student/Paralegal: ☐

Consultant: ☐

CV attached: ☐

**Completed Years
Practicing/Years of relevant
experience**

CV not required: ☐

Name: _____

Counsel/Articling Student/Paralegal: ☐

Consultant: ☐

CV attached: ☐

**Completed Years
Practicing/Years of relevant
experience**

CV not required: ☐

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Fees Being Claimed



File # EB- 2014-0134

Process DSM Framework for Natural Gas Distributors

Party Industrial Gas Users Association

HST Rate: 13%

		Preparation for, attendance at and reporting on the April 25, 2014 working group session	Preparation for, attendance at and reporting on the June 18, 2014 working group session	Preparation for, attendance at and reporting on the July 24, 2014 working group session	Written Comments on the Draft DSM Framework and Draft DSM Guidelines			
		Eligible Participant	Eligible Participant	Eligible Participant	Eligible Participant			
Individual Whose Fees are Being Claimed	Hourly rate	<i>Maximum of actual meeting time plus 50% of meeting time for preperation and reporting</i>	<i>Maximum of actual meeting time plus 50% of meeting time for preperation and reporting</i>	<i>Maximum of actual meeting time plus 50% of meeting time for preperation and reporting</i>	<i>Up to 24 hours</i>	Subtotal	HST	Total
Ian Mondrow	\$330.00			5.10	0.40	\$1,815.00	\$235.95	\$2,050.95
Ashley Staley	\$100.00		5.80			\$580.00	\$75.40	\$655.40
Cathy Galler	\$100.00	0.20			0.20	\$40.00	\$5.20	\$45.20
						\$0.00	\$0.00	\$0.00
						\$0.00	\$0.00	\$0.00

Totals:

Totals:

Totals:

\$2,435.00

\$316.55

Total legal/consultant fees: \$2,751.55

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB-	<u>2014-0134</u>	Process:	<u>DSM Framework for Natural Gas Distributors</u>
Party:	<u>Industrial Gas Users Association</u>		

Name of individual whose disbursements are being claimed: Ian Mondrow

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier	\$8.03	\$1.04	\$9.07
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		included	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$8.03	\$1.04	\$9.07

Industrial Gas Users Association
Our Matter: T998384
OEB DSM Plan Framework Review (EB-2014-0134)
(IGUA14-ON-OEB-1)

PROFESSIONAL SERVICES

Date	Hours	Timekeeper	Description
08/04/2014	0.70	Ian Mondrow	Call with S. Rahbar relating to participation and update on IGUA's DSM perspective; review ministerial reference with respect to scope of OEB process;
10/04/2014	0.30	Ian Mondrow	Review OEB letter relating to consultation commencement and Working Group; note to S. Rahbar relating to announcement and Working Group members; note to C. Galler relating to organization of materials;
11/04/2014	0.20	Cathy Galler	Organization of Working Group materials;
11/04/2014	0.20	Ian Mondrow	Review Working Group meeting information sent by OEB Staff;
21/04/2014	0.60	Ian Mondrow	Review notes from parties relating to topics for discussion and send preliminary comments;
23/04/2014	0.50	Ian Mondrow	Review materials from participants;
24/04/2014	0.50	Ian Mondrow	Review additional filings by parties; gather materials for Working Group meetings;
25/04/2014	7.50	Ian Mondrow	Attend Working Group meeting;
30/04/2014	2.40	Ian Mondrow	Review and comment on draft Working Group notes; draft comprehensive reporting/issues note to S. Rahbar;

Total Fees for Professional Services

SUMMARY OF FEES

TK#	TK Name	Hours
8440	Galler, Cathy	0.20
1760	Mondrow, Ian	12.70
Total		12.90

Industrial Gas Users Association
Our Matter: T998384
OEB DSM Plan Framework Review (EB-2014-0134)
(IGUA14-ON-OEB-1)

PROFESSIONAL SERVICES

Date	Hours	Timekeeper	Description
10/06/2014	0.10	Ian Mondrow	Review additional comments on Working Group notes;
13/06/2014	0.20	Ian Mondrow	Initial review of questions from Staff relating to budgets, targets and incentives;
16/06/2014	2.30	Ian Mondrow	Review questions/notes from Staff; draft commentary on materials for IGUA consideration;
17/06/2014	1.70	Ian Mondrow	Reviewing comments on IGUA briefing; reviewing comments of other Working Group participants; additional notes to IGUA and note to Working Group relating to "customer perspective"; assign research on industrial DSM in jurisdictions cited by Pollution Probe;
17/06/2014	0.40	Ashley Staley	Assigned a research project by I. Mondrow on how large industrial customers are treated in specific US state conservation programs;
18/06/2014	5.50	Ian Mondrow	Attend Working Group meeting;
23/06/2014	0.20	Ian Mondrow	Discussion with A. Staley relating to research on opt-out in other jurisdictions;
23/06/2014	5.40	Ashley Staley	Performed preliminary research for I. Mondrow's assignment on determining if large industrial consumers can opt out of state energy conservation plans in seven specific US states; met with I. Mondrow to review the progress of my research and the parameters of the assignment were changed to include all states with opt-in provision; conducted further research with this new scope; prepared a formal memo to be sent to I. Mondrow;
26/06/2014	0.50	Ian Mondrow	Review Toronto Atmospheric Fund materials circulated;
27/06/2014	0.40	Ian Mondrow	Continue review of Toronto Atmospheric Fund materials;

Total Fees for Professional Services

SUMMARY OF FEES

TK#	TK Name	Hours
1760	Mondrow, Ian	10.90
8128	Staley, Ashley	5.80
Total		16.70

Terms: due upon receipt
Interest at the rate of 1.3% per annum will be charged on all amounts not paid within one month from the date of this invoice

Errors and omissions excluded

Industrial Gas Users Association
Our Matter: T998384
OEB DSM Plan Framework Review (EB-2014-0134)
(IGUA14-ON-OEB-1)

PROFESSIONAL SERVICES

	Date	Hours	Timekeeper	Description
	14/07/2014	1.00	Ian Mondrow	Review and comment on Working Group meeting notes;
	22/07/2014	0.70	Ian Mondrow	Review recent e-mails; notes and comments on draft minutes and consider various positions;
	23/07/2014	0.50	Ian Mondrow	Continue review of historical materials and consideration of position for IGUA;
Working Group Phase	24/07/2014	2.90	Ian Mondrow	Continue review of materials circulated by parties and historical materials and prepare for Working Group meeting;
	25/07/2014	5.00	Ian Mondrow	Attend Working Group meeting;
Comment Phase	25/07/2014	0.50	Ian Mondrow	Continue review of historical DSM materials;
	31/07/2014	0.30	Ian Mondrow	Review SEC letter relating to concerns with Staff proposal;

Total Fees for Professional Services

SUMMARY OF FEES

TK#	TK Name	Hours
1760	Mondrow, Ian	10.90 5.1
Total		10.90 5.1

Terms: due upon receipt
Interest at the rate of 1.3% per annum will be charged on all amounts not paid within one month from the date of this invoice

Errors and omissions excluded

Industrial Gas Users Association
Our Matter: T998384
OEB DSM Plan Framework Review (EB-2014-0134)
(IGUA14-ON-OEB-1)

PROFESSIONAL SERVICES

Date	Hours	Timekeeper	Description
14/10/2014	0.40	Ian Mondrow	Review draft Board policy materials;
15/10/2014	1.00	Ian Mondrow	Continue review and consideration of OEB DSM Framework documents and formulation of IGUA comments;
16/10/2014	3.50	Ian Mondrow	Complete review and consideration of draft Framework materials; preliminary discussion with S. Rahbar;
17/10/2014	0.20	Cathy Galler	Formatting and filing letter of comment;
17/10/2014	4.70	Ian Mondrow	Continue analysis of materials and draft position for IGUA consideration;
23/10/2014	1.00	Ian Mondrow	Review of filed comments;
27/10/2014	1.00	Ian Mondrow	Review of other submissions;
28/10/2014	0.80	Ian Mondrow	Complete review of other submissions;

Total Fees for Professional Services

SUMMARY OF FEES

TK#	TK Name	Hours
8440	Galler, Cathy	0.20
1760	Mondrow, Ian	12.40
Total		12.60

DISBURSEMENTS

Taxable Costs

17/10/2014	Scanning Service	\$0.50
	Scans=2 Time:1609 EquipmentID:2.16.147	
17/10/2014	Scanning Service	\$1.50
	Scans=6 Time:1611 EquipmentID:2.16.147	
17/10/2014	Courier	\$8.03
	BLIZZARD 1 Piece(s) 100 King St West -> 2300 Yonge St	
Total Taxable Disbursements		<u>\$10.03</u>

Terms: due upon receipt
Interest at the rate of 1.3% per annum will be charged on all amounts not paid within one month from the date of this invoice

Errors and omissions excluded



February 10, 2015
INVOICE: 18152565

Industrial Gas Users Association
Our Matter: T998384
OEB DSM Plan Framework Review (EB-2014-0134)
(IGUA14-ON-OEB-1)

PROFESSIONAL SERVICES

Date	Hours	Timekeeper	Description
05/01/2015	1.10	Ian Mondrow	Review Board report; interim note to IGUA;
06/01/2015	3.40	Ian Mondrow	Complete review of Board report; interim reporting note to IGUA; call with IGUA member to discuss;
07/01/2015	1.70	Ian Mondrow	Intervenor call to discuss framework; discussion with S. Rahbar relating to governance issues and intervenor response;
12/01/2015	0.40	Ian Mondrow	Review DSM Guidelines;
15/01/2015	0.70	Ian Mondrow	Continue review of new Guidelines;
19/01/2015	0.90	Ian Mondrow	Continue review of Guidelines;

Total Fees for Professional Services

SUMMARY OF FEES

TK#	TK Name	Hours
1760	Mondrow, Ian	8.20 0.4
Total		8.20 0.4

DISBURSEMENTS

Taxable Costs

07/01/2015	Long Distance Telephone Ext:84670 Time:12:18 Phone#:16132368021	\$2.20
07/01/2015	Long Distance Telephone Ext:84670 Time:10:19 Phone#:15194740844	\$0.04
07/01/2015	Long Distance Telephone Ext:84670 Time:10:20 Phone#:15199021850	\$0.04
12/01/2015	Long Distance Telephone Ext:84670 Time:14:20 Phone#:16139832927	\$0.72
Total Taxable Disbursements		<u>\$3.00</u>

Terms: due upon receipt
Interest at the rate of 1.3% per annum will be charged on all amounts not paid within one month from the date of this invoice

Errors and omissions excluded

5/1/2015

7301083

Blizzard Courier Ltd

Waybill 7301083

RcvTime 2015-05-01 09:42

PUcompany GOWLING,LAFLEUR & HENDERSON

PUbuilding 416 369-7316

PUaddress 100 King St West

PUpostalcode M5X 1G5

PUcity Toronto

PUsuite 13th floor

PUcontact

Return

DOcompany ONTARIO ENERGY BOARD

DObuilding

DOaddress 2300 Yonge St

DOpostalcode M4P 1E4

DOcity Toronto

DOsuite 2700

DOcontact kirsten walli

Signature Required Y

ST 2

NextDay

Pieces 1

Weight 0

Van Required N

Instructions

REF1_1 t998384

REF2_1 i.mondrow

REF3_1 1760

Signature

SignatureTime

BASIC TARIFF 8.03

RETURN CHARGE 0.00

VAN CHARGE 0.00

WEIGHT CHARGE 0.00

EXTRA CHARGE 0.00

FUEL SURCHARGE ?

HST CHARGE ?

TOTAL WITH HST \$?