fogler

77 King Street West Suite 3000, PO Box 95 TD Centre North Tower Toronto, ON M5K IG8 t: 416.864.9700 | f: 416.941.8852 foglers.com

May 6, 2015

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 131801

#### VIA RESS, EMAIL AND MAIL

Ontario Energy Board 2300 Yonge Street, 27th Floor Toronto, Ontario M4P 1E4

Attention:

Kirsten Walli,

**Board Secretary** 

Dear Ms. Walli:

**Re:** Board File No. EB-2012-0410

Please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

**Thomas Brett** 

TB/dd

Encls.

cc:

All Parties (via email)

K:\thrett\mpdata\CLIENTS\Fraser & Company\BOMA - EB-2012-0410 Rate Design for Electricity Distributors\Cost Claim\Walli ltr.doex

### 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.

Sworn or affirmed before me at the City/Town of,	the east slain	ata input is indicated by yel	low-shaded fields. F	ormulas are present in the d	ocument to assist with the calculation of
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- 2012-0410					
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File # EB- 2012-0410			thed unless, for a given	en consultant, a CV has beer	n provided to the Board in another
File # EB- 2012-0410 Process: Rate Design - Residential Electricity Customers  Party: BOMA Affiant's Name: Tom Brett  HST Number: R119420859 HST Rate Ontario: 13.00%  Full Registrant	-		le e persente e presente		
Party: BOMA	- except as p	rovided in section 7.03 of t	ne Practice Direction	on on Cost Awards, itemized	receipts must be provided.
HST Number: R119420859    Full Registrant   Qualifying Non-Profit   Tax Exempt   Other   Tax Exempt   Tax Exe	File # EB-	2012-0410		Process: Rate Design	- Residential Electricity Customers
Full Registrant Unregistered Other    Affidavit    Affida	Party:	вома		Affiant's Name:	Tom Brett
Unregistered Other    Affidavit  I, Tom Brett , of the City/Town of Toronto , 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" and "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" and "Statement(s) of Disbursements Being Claimed" and "Statement(s) of Disbursements Being Claimed and "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed and "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed and "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed and "Statement Being Cl	HST Numbe	er: R119420859		HST	Rate Ontario: 13.00%
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in the Province/State of Ontario , on May 6/15	in the Prov			Ontario	, swear or affirm that:
	1. I am a repropersion of the contract of the	resentative of the above-no mined all of the documenta ats Being Claimed", "Statemed "Summary of Fees and Exts Being Claimed" include of the Board process referral aim does not include any coin sections 6.05 and 6.09 of Affiant	tion in support of the tof Fees Being Classbursements Being only costs incurred a ed to above. The Board's Practic	y") and as such have knowled his cost claim, including the a aimed" and "Statement(s) of g Claimed", "Statement of Fee nd time spent directly for the or time spent, by a person the e Direction on Cost Awards.	dge of the matters attested to herein. ttached "Summary of Fees and Disbursements Being Claimed". es Being Claimed" and "Statement(s) of e purposes of the Party's participation in
lateni	1. I am a repr 2. I have exar Disbursemen 3. The attach Disbursemen the Ontario E 4. This cost cl as described Signature of	resentative of the above-no mined all of the documenta ats Being Claimed", "Statemed "Summary of Fees and Dats Being Claimed" include of Energy Board process referral laim does not include any coin sections 6.05 and 6.09 of Affiant	tion in support of the ent of Fees Being Cl Disbursements Being nly costs incurred a ed to above. Osts for work done, the Board's Practic the City/Town of	y") and as such have knowled his cost claim, including the araimed" and "Statement(s) of g Claimed", "Statement of Fed nd time spent directly for the or time spent, by a person the Direction on Cost Awards.	dge of the matters attested to herein.  Ittached "Summary of Fees and  Disbursements Being Claimed".  Es Being Claimed" and "Statement(s) of  E purposes of the Party's participation in  Estat is an employee or officer of the Party

Commissioner for taking Affidavits

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



File # EB- 2012-0410 **Process:** Rate Design - Residential Electricity Customers Party: **BOMA** Summary of Fees and Disbursements Being Claimed Legal/consultant fees \$10,292.04 Disbursements \$ 24.58 **HST** \$ 1,341.16 \$11,657.78 **Total Cost Claim Payment Information** Make cheque payable to: Fogler, Rubinoff LLP Send payment to this address: Attention: Debbie Dey 77 King Street West, Suite 3000 P.O. Box 95, TD Centre North Tower Toronto, ON M5K 1G8 **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**





### **Affidavit and Summary of Fees and Disbursements**

#### Individual Whose Costs are Being Claimed

Name: Tom Brett		
Counsel/Articling Student/Paralegal: Analyst/Consultant:	Year Called to Bar 1971	Completed Years Practicing/Years of Relevant Experience 35
CV attached:	CV not required:	✓
Name: Marion Fraser		
Counsel/Articling Student/Paralegal: [ Analyst/Consultant: [	Year Called to Bar	Completed Years Practicing/Years of relevant experience 33
CV attached:	CV not required:	✓
Name:		
	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: [ Analyst/Consultant: [		
CV attached:	CV not required:	
Name:	- Voil variati	
Counsel/Articling Student/Paralegal: [ Analyst/Consultant: [	Year Called to Bar	Completed Years Practicing/Years of relevant experience
CV attached:	CV not required:	
Name:		
Counsel/Articling Student/Paralegal:	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Analyst/Consultant:		
CV attached:	CV not required:	



# COST CLAIM FOR CONSULTATIONS Statement of Fees Being Claimed

2012-0410

Rate Design for Residential Electricity Customers

BOMA

13%

Meeting with Board Written Comments on Staff May 16 or May

Board's Draft Policy 26, 2014

Eligible Participant

Individual Whose Fees are Being

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Claimed	Hourly rate	Up to 25 hours	Up to 7 hours	Subtotal HST	HST	Total
Tom Brett			9	4158	540.54	4698.54
Marion Fraser			15 4950 643.5	4950	643.5	
				0		
	3	0		0		
				0		
		<b>Totals</b> 9108 1184.04	Totals	9108	1184.04	

10292.04

Total legal/consultant fees:



File # EB-	2012-0410	Process:	Rate Design - Residential Electricity Customers
Party:	ВОМА		
Name of in	dividual whose disbursements are being c	laimed:	Tom Brett

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing	\$0.60	\$0.08	\$0.68
Courier	\$23.98	\$3.12	\$27.10
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$24.58	\$3.20	\$27.78

1/



File # EB-	2012-0410	Process:	Rate Design - Residential Electricity Customers
Party:	ВОМА		
Name of inc	dividual whose disbursements are being clair	med:	

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

2/



File # EB-	2012-0410	<b>Process:</b> Rate Design - Residential Electricity Customers
Party:	ВОМА	
Name of in	dividual whose disbursements are being cla	imed:

пэі	Rate Or	itario:	13.00%
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	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00



File# EB-	2012-0410	Process:	Rate Design - Residential Electricity Customers
Party:	ВОМА		
Name of in	dividual whose disburseme	nts are being claimed:	
			HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

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\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

HST Rate Ontario: 13.00%

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

File# EB-	2012-0410	<b>Process:</b> Rate Design - Residential Electricity Customers						
Party:	ВОМА							
Name of in	Name of individual whose disbursements are being claimed:							

***************************************	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Тахі		\$0.00	\$0.00

TOTAL DISBURSEMENTS:	ارم مما	<u> </u>	ćo 00
TOTAL DISBORSEIVIENTS:	\$0.00	\$0.00	\$0.00
5/			

Accommodation

Meals

Other:

Other:

Other:

Prebill # 804824 Session: 449307 Bill to: 30/Apr/15 FOGLER, RUBINOFF LLP Page 1 Client: F1588 CLIENT LAWYER: Brett, Thomas PAYOR NAME & ADDRESS PAYOR: F1588 MAIN Fraser & Company **F1588 MAIN** Fraser & Company BILL: MATTER\_LAWYER: Brett, Thomas 33 Harbour Square, Suite 502 LAWYER ON BILL: Toronto, ON Brett, Thomas Matter: 131801 M5J 2G2 BOMA - OEB Rate Design for LAST BILL DATE: NONE ACCOUNT APPROVAL Canada **Electricity Distributors** Attn: Marion Fraser **Thomas Brett** [ ] FINAL BILL: MATTER WILL BE MADE INACTIVE **UNBILLED TIME** LAST ENTRY **TIMEKEEPER HOURS AMOUNT** FEE CREDIT ALLOCATION CODE INIT [ ] AS DOCKETED 09/Jun/14 Thomas Brett 12.60 4,158.00 415 ТВ [ ] WRITE OFF **TOTAL UNBILLED FEES** 12.60 4,158.00 PREMIUM (WRITE DOWN) TOTAL FEES THIS BILL **UNBILLED DISBURSEMENTS** LAST ENTRY CODE DISB. TYPE **GST AMOUNT UNBILLED W/O ANTICIPATED TOTAL THIS BILL** 02/Apr/13

0.60

23.98

24.58

[ ] WRITE OFF

Υ

Υ

TOTAL UNBILLED DISB

**TOTAL ADJUSTMENTS** TOTAL DISB THIS BILL

TRUST SUMMARY - A Trust was not opened on this Matter

**Prints** 

Courier & Delivery

1

7

09/Jun/14

#### Page 2

#### FOGLER, RUBINOFF **BILLING STATEMENT TO 30/Apr/15**

Payor/Matter: F1588/**131801** 

Fraser & Company

BOMA - OEB Rate Design for Electricity

Distributors

Prebill No.: 804824 Session ID: 449307 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	TIMEKE	EPER	<u>HOURS</u>	RATE	<u>AMOUNT</u>	DESCRIPTION
22/Apr/14	2404550	415	TB	1.20	330.00	396.00	Reviewing document
24/Apr/14	2404588	415	TB	1.00	330.00	330.00	Preparation of cost eligibility letter
25/Apr/14	2404599	415	ТВ	0.50	330.00	165.00	Reviewing document; filing intervention letter
05/Jun/14	2426243	415	ТВ	3.00	330.00	990.00	Reviewing papers; Drafting comments
06/Jun/14	2426249	415	TB	3.50	330.00	1,155.00	Revising memo to the Board
09/Jun/14	2426256	415	ТВ	3.40	330.00	1,122.00	Reviewing materials
			TOTAL TIME	12.60		4,158.00	

#### **DETAIL OF UNBILLED DISBURSEMENTS**

<u>DATE</u> 02/Apr/13	<u>DISB ID</u> 5050258	CODE 1	Prints	<u>QUAN</u> 2.00	<u>AMOUNT</u> 0.60	DESCRIPTION Rotchtin Richard M.	
24/Apr/14	5649023	7	Courier & Delivery		11.99	13:04 TB Courier: Blizzard# 716881 2300 Yonge St-nicole	4 Ontario Energy Board-
09/Jun/14	5711486	7	Courier & Delivery		11.99	16:06 TB Courier: Blizzard# 718274 2300 Yonge St-liam	0 Ontario Energy Board-
			TOTAL DISB		24.58		

## MARION FRASER DOCKET

		Total 4 4 4 4 4 9 0 0 0 0	15
BOMA		Argument	0
		Attendance OH	0
	Party Name	Attendance SC Attendance OH	0
	à.	Fraser & Company Attendance TC	0
EB-2012-0410		Preparation 4 4 4 4	15
		Consultant MEF et MEF MEF MEF	
	ıber	Date Explanation Co 30-May-14 Review of Report MEF 1-Jun-14 Review of Appendicie: MEF 3-Jun-14 Research MEF 4-Jun-14 Drafting Comments MEF	
	Board File Number	Date 30-May-14 1-Jun-14 3-Jun-14 4-Jun-14	Total

Filters Client Disb Code 7 Session Matter 131801 Office Tran Type Tkpr Dept Prebill # Disb ID Prof Ctr Bill # Date Period Bill Date Project

Disbursement Details

Base Amt

\$21.78

Tobill Amt

\$23.98

Billed Amt

Date	T T Client	n Matter	at C l/art nt	Tobill Amt	Narrative	Pr
4/24/2014 6/9/2014	F1588 F1588				13:04 TB Courier: Blizzard# 7168814 Ontario Energy Board-2300 Yonge St-nicole 16:06 TB Courier: Blizzard# 7182740 Ontario Energy Board-2300 Yonge St-liam	