



**ZIZZO
ALLAN
DEMARCO**
LLP

Zizzo Allan DeMarco LLP
5 Hazelton Avenue, Suite 200
Toronto, ON M5R 2E1

May 7, 2015

Filed on RESS and Sent via Courier

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: Union Gas Limited – 2016 Dawn Parkway System Expansion –
Cost Claim for Association of Power Producers of Ontario ("APPRO")
Board File No. EB-2014-0261**

Pursuant to the Board's April 30, 2015 Decision and Order, enclosed please find APPRO's cost claim in the above-referenced proceeding. Note that invoices for the services of Lisa (Elisabeth) DeMarco were issued from both Norton Rose Fulbright LLP and Zizzo Allan DeMarco LLP.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Lisa (Elisabeth) DeMarco

CC: Karen Hockin (Union Gas Limited)
Crawford Smith (Torys LLP)
David Butters (APPRO)
John Wolnik (Elenchus Research Associates Inc)

Encl.

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 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: 290.00 Country: Canada
- 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 consultant or lawyer/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 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>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion Proj</u>
Party: <u>APPRO, the Association of Power Producer</u>	Affiant's Name: <u>Elisabeth DeMarco</u>
HST Number: <u>1259 8802 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, Elisabeth (Lisa) DeMarco, 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 May 7/2015,
(date)

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0261

Process: Union Gas Limited Dawn Parkway 2016 Expansion Proj.

Party: APPrO, the Association of Power Producer

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$9,338.00
Disbursements	\$37.71
HST	\$1,218.84
Total Cost Claim	\$10,594.55

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion</u>
Party: <u>APPRO, the Association of Power Producers</u>	Name: <u>Elisabeth DeMarco</u>
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	<div style="text-align: center;"> Completed Years Practising/Years of relevant experience </div> <div style="border: 1px solid black; text-align: center; padding: 2px;"> 1996 (19 yrs.) </div>
Consultant: <input type="checkbox"/>	
CV attached: <input checked="" type="checkbox"/>	CV not required: <input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	25.40	\$290.00	\$7,366.00	\$957.58	\$8,323.58
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	6.80	\$290.00	\$1,972.00	\$256.36	\$2,228.36
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$9,338.00	\$1,213.94	\$10,551.94

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier	\$37.71	\$4.90	\$42.61
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:	\$37.71	\$4.90	\$42.61



**ZIZZO
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Toronto, ON M5R 2E1
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FAX +1.888.734.9459
www.zadllp.com

LISA (ELISABETH) DeMARCO, B.Sc., M.Sc., M.S.E.L., LLB.

EDUCATION AND TRAINING

- Called to the Bar of the Province of Ontario (1997)
- Solicitor, England and Wales (2012)
- LL.B., Osgoode Hall Law School (1995)
- MSEL, Vermont Law School (1995)
- M.Sc., Environmental Toxicology, University of Toronto (1992)
- B.Sc.(Hons.), Human and Environmental Biology, Western University (1990)

RELEVANT EXPERIENCE

Senior Partner, Zizzo Allan DeMarco LLP

2015 – Present

- Recognized domestically and globally as a leader in the field by Chamber's Global, Lexpert and International Who's Who
- From 2011 to present, provides strategic advice, legislative analysis (federal and provincial), legislative drafting, climate change and policy advice in relation to a project that includes CCS, development of a pipeline and enhanced oil recovery for SaskPower Boundary Dam Post Combustion Carbon Capture and Storage (CCS) project
- From 2005 to present, United Nations Framework Convention on Climate Change (UNFCCC) and Kyoto Protocol Treaty Negotiation, Implementation and related International Finance Corporation (IFC) carbon transactions – retained to participate in most annual UNFCCC/Kyoto Protocol Treaty negotiations providing legal advice and draft negotiation text for key stakeholders. Provided interpretation of UNFCCC/KP flexibility mechanism provisions in context of carbon/climate finance of many renewable energy deals. Consider and work with domestic legal context regarding KP implementations for various substance, national and provincial governments in COPs 11, 12, 13, 14, 15, 16, 17, 20 and 21
- From 2004 to present, IFC InCAF transaction: advising International Finance Corporation (a member of the World Bank Group) on virtually all carbon transactions undertaken under the InCAF facility under the CDM in numerous international jurisdictions including Brazil, India, China, Thailand, Sri Lanka and Argentina
- From 2003 to present, Ontario Greenhouse Gas Emissions Policy: provided information, policy and advocacy services to numerous customers on all aspects of the matter over the last ten years
- From 1998 to present, appears as counsel on behalf of various customers in the majority of the numerous Enbridge and Union PBR gas pipeline distribution rate cases and rebasing cost of service (COS) cases that followed over and that have ensued over the last 15 years
- Counsel to one member of the three-member coalition for the East West tie that was successful in the regulatory proceedings before the Ontario Energy Board
- Special Counsel to Ministry of Energy on OEB Energy East Consultations and National Energy Board Hearing in RH-001-2014
- Counsel to electricity distributor on sale of utility to another utility
- Founder and counsel to Ontario Energy Storage Association Advocacy Council on various transmission and distribution system code amendments and related proceedings before the OEB and policy changes being considered by the Ontario Government, including the Long Term Energy Plan, the Conservation First agenda and large renewables RFP
- Counsel to fuel importer on renewable fuels related matters
- Counsel to Federation of Canadian Municipalities on various matters

- Counsel to the Association of Power Producers of Ontario ("APPRO") and/or various renewable, biomass and gas-fired generators on discrete regulatory matters
- Counsel to OPA on environmental attribute/REC matters and related analysis of all generation procurement contracts, industrial electricity incentives and related contractual interpretation matters.
- Acted on CES contracts for clients in early stages of their interpretation, analysis and understanding. Analyzed a number of NUG contracts affected by gas pipeline and related gas transportation and supply changes
- Currently representing large industrial customers (APPRO's gas-fired electricity generators) in the ongoing OEB combined leave to construct proceeding successfully leading argument on achieving transparency and obtaining disclosure of the recent Enbridge, Union, Gaz Metro, TCPL settlement agreement (the Agreement) that makes precedent setting, fundamental changes to natural gas transmission, distribution, and toll regulation across much of Canada
- Acted for all of the Ministry of Energy, the OPA and the IESO on various matters and numerous clients on rate regulation and policy hearings, and virtually all of the OPA's programs, including conservation, demand management, FIT, RSA, RESOP, Industrial Electricity Incentives, Environmental Attributes and CHP.
- In regulatory areas, have represented numerous wind power producers, solar power producers, power companies and industry organizations in proceedings before the National Energy Board (NEB), the Ontario Energy Board (OEB) and other federal and provincial energy regulators, acting for both project proponents and intervenors on various energy projects.
- Provides strategic advice on the development and drafting of GHG regulations in provinces including British Columbia, Alberta, Ontario, Saskatchewan and P.E.I. and the Canadian, U.S., U.K. Chinese, Brazilian, Korean and Chilean federal levels
- Writes and speaks on trade and the environment, the EU fuel Quality Directive and California's Low Carbon Fuel Standard, recently doing so through a joint session of the International Energy Agency (IEA) involving representatives from the Organization of Economic Cooperation and Development (OECD)
- Development, acquisition and conveyance of conventional and renewable energy projects, acting on behalf of project proponents, lenders, equity investors, LDCs, contractors, aboriginal peoples, governments and quasi-government agencies, with particular expertise on all of Ontario's various programs and procurement contracts
- Provide full spectrum of legal services in the renewable energy sector, including advice and representation with respect to project development and financing, responding to provincial governments, acquisition of project facilities and all related commercial and regulatory issues

Partner, Norton Rose Fulbright LLP

2013 – 2014

(Change of name following merger with Fulbright Jaworski)

- Head Toronto Energy, Sustainability and Climate Change International Business Group (Norton Rose Group)
- Represented TransAlta before the National Energy Board (NEB) on the related TCPL RH-2013-0001 and TCPL RH-001-2014 proceedings.
- Advised on the TCPL RH-2011-003 Proceeding and resulting decisions
- Acted for rate regulated applicants and other entities on distribution and Leave to Construct proceedings
- California Cap and Trade Market: drafted precedent route to market agreements for large multi-national corporation and was a member of IETA legal team drafting a recently released precedent contract for California emissions market
- Quebec Cap and Trade Legislation: provided legal analysis and advice to large multi-national energy company on registration and cross border issues
- Counsel to NRStor Electricity Storage and acted on all aspect of negotiating and implementing precedent setting electricity storage project and related grid stability, reliability services through

- government off-take agreement in order to facilitate efficiencies and enhanced renewable energy supply and optimization
- Acted on government off-take agreement for regulation/alternate generation control services, EPC contract negotiation, all novel energy regulatory requirement determination and compliance and assistance with financing and implementation

Partner, Norton Rose Canada LLP

2012 – 2013

(Change of name following merger between Macleod Dixon LLP and Norton Rose OR LLP)

- Acted for B.C. government (CAS) and Pacific Carbon Trust undertaking: strategic energy asset optimization analysis; political, technology and stakeholder strategy; high level government submissions and legislative drafting; technology flow chart and risks for lowest cost technology determinations; gap analysis (constitutional, securities, energy, environmental laws and international and inter-provincial trade considerations); supporting cabinet submissions and legislative drafting of cap and trade regulation; legal analysis, strategic and political analysis and risk identification; government relations plan; stakeholder relations plan and legal drafting associated with existing electricity generation and infrastructure and cross border regional programs (WCI)
- Acted as counsel to foreign lenders and Asian sovereign wealth entities on financing and Ontario renewables sector consolidation

Partner, Macleod Dixon LLP

2002 – 2012

- Head Toronto Energy Group, Global Climate Change Group
- Appeared successfully before the Divisional Court and the Ontario Court of Appeal on matters appealed from the OEB (Ramp Rate Market Rule Amendment (Divisional Court) and appeal of the Gas Distribution Access Rule (Divisional Court, Court of Appeal)
- Representation of APPrO on the constitutional challenge of certain electricity and gas distributor special fees and charges
- Acted for APPrO in association with the OPA and Ministry of Energy in negotiations of the Electricity Task Force of the 9 state, 4 province Regional Western Climate Change Initiative, including applicability to upstream fuel suppliers and related pipelines. Involved in drafting of resulting Detailed Program Design Document elements on electricity imports, exports, reliability and renewables and related gas supply and pipeline supply implications. Performed all services associated with the above including active participation and leadership in the related negotiations that took place on a bi-monthly basis on average. Was the only North American counsel/legal firm involved in detailed design
- Counsel to customers on the landmark Enbridge gas storage and system case methodology rate cases that resulted in an all party settlements and rules for all gas utilities
- Counsel to Rogers Communications on the electricity Rate Handbook proceeding and worked diligently to be able to achieve consensus among some 96 LDCs on the treatment of unmetered scattered load.
- Acted for the British Columbia Government on a number of matters including energy regulatory, legislative and policy matters and the regulatory implications of certain energy asset optimization decisions
- Purchase of CERs – CDM Registry: advised a large bank on a possible first-of-its kind transaction to purchase issued CERs that are due to be delivered to the Canadian Registry when that registry goes live with its connection to the CDM Registry. The transaction involved detailed risk analysis regarding the status of the Canadian Registry connection and Canada's involvement with the Kyoto Protocol
- Instructor for the University of Toronto Carbon Finance lecture series, lecturing on US, Canadian and international carbon markets and an adjunct professor teaching a course on Climate Change Law at Osgoode Hall Law School (Fall Semester 2011/2012)
- Advised numerous clients on EU ETS based transactions and interaction with changes in EC Rules on ETS

- Acted for a coalition of generators on the development of the EcoLogo Renewable Low Impact Electricity criteria and the related TerraChoice EcoLogo Guidelines and certification criteria
- Pioneered first sale of RECs cross border from Canadian wind generator into Massachusetts REC Market
- Counsel to Canadian based broker on several cross border back to back EA sales from Canadian generator to broker US buyer
- Developed precedent contracts for multinational oil, gas and power trading company for green and green gas energy marketing and sale of RECs, EAs and bundled green energy in Ontario (including TerraChoice certification and related branding)
- Developed precedent contracts for US-based multinational energy company for sale of RECs, related EAs and Verified Emission reductions in Ontario and Alberta
- Counsel to large multi-national energy company on transactions through various auction platforms for sale of EA compliance and pre-compliance instruments in Alberta (discovering fundamental issue during due diligence that resulted in regulatory change)
- AgCert Restructuring Processes and Procedures: retained as special international regulatory and CDM counsel to assist with restructuring all relevant contracts and interaction with the Clean Development Mechanism Executive Board (CDM EB) (International Regulatory Body) on process and procedures to ensure due process, a fair right to be heard, and the rule of law is reflected in its processes and decisions. This included in depth legal analysis and interpretation of the UNFCCC and KP Treaty(ies) in the context of an insolvency affected by domestic legislation of three countries and various counterparty countries, in depth work with the CDM EB on its process and procedure under international administrative and public law principals in order to ensure due process and reflect the assurances of the rule of law
- Counsel to various developers, generators, suppliers on Caribbean Power Purchase and Sale Agreements

Senior Associate, Energy, Donahue Ernst & Young LLP

1998 – 2002

- First counsel involved in performance based regulation (PBR) in the natural gas sector, sitting on the Ontario Energy Board (OEB's) PBR Working group
- Prior to ratification of the Kyoto Protocol, was retained by an international pipeline company to advise on federal and provincial government's authority and jurisdiction to regulate greenhouse gas emissions from a gas pipeline under the Constitution of Canada
- Provided high level gap analysis to the B.C. Government between the B.C. cap and trade design and the Western Climate Initiative system in light of shale gas developments
- Acted for a Supra-regional trade organization, writing one of the original legal papers on nature of environmental commodities and cross border trading in same

Lawyer, Ontario Ministries of Environment and Energy

1995 – 1998

Seconded from the Ministry of the Attorney General

- Prosecutions, Hearings, Legislative Drafting
- One of the original drafters of the Electricity Competition Act that resulted in fundamental reforms to the rules, codes and guidance governing the natural gas and electricity sector as it moved away from vertically integrated monopoly regulation and toward competition in the electricity sector, and into competition in natural gas retail and storage.
- Assisted with drafting the Energy Competition Act as part of a multi-ministerial legal and policy team, including the associated policies, regulations, rules and codes, many of which were ultimately implemented by the OEB.
- Assisted in identifying and drafting consequential amendments, repeals and new legislation/regulations

Scientific Research Contractor, Canadian Federal Government

1992 – 1993

- Studying various aspects of the environmental release and biodegradation of petroleum hydrocarbons

Van City

- Pro bono carbon pricing analysis and advise

1992 – 1993

SELECTED GOVERNANCE

- Board Member Ontario Energy Board 2014 – Present
- Board Member Ontario Electricity Association 2013 – Present
- Appointed Member of the Province of Ontario's Clean Energy Task Force
- Toronto Atmospheric Fund Investment Committee
- Former Member of the Premier's Climate Change Advisory Panel
- British Columbia's Pacific Carbon Trust Offset Purchase Agreement Review Committee (Appointed Member)
- Adjunct Professor, climate change law, Osgoode Hall Law School, 2011
- Editorial board, *Carbon and Climate Law Review*

SELECTED REPORTS AND PUBLICATIONS

Featured In "Finding their Niche," York U Magazine, Summer 2013

Corporate Knights – Top Women in Sustainability, November 2013

International Emissions Trading Association (IETA) – When trade and climate change measures collide, November 12, 2013

Legal Post - Obama's Climate Action Plan will have significant impacts on Canada, lawyers say, July 8, 2013

Lexpert – US moves on climate change, May 2013

Norton Rose wins again at Trade Finance Awards for Excellence , 13 June 2012

Featured in "Canada's Coal Plant Regulations to Cut CO2 Emissions 5.3 Million Tonnes," Reuters News, September 2011

Quoted in "Tory majority in Canada may not kill climate debate: observers," Carbon Market North America, May 2011

"Big bucks in carbon trade?" July 9, 2010

"Copenhagen Accord provides no long-term climate change certainty," January 11, 2010

Big bucks in carbon trade?, July 9, 2010

Copenhagen Accord provides no long-term climate change certainty , January 11, 2010

"Big value put on carbon market," December 24, 2009

"Ontario promotes green credentials to lure investors," December 11, 2009

"Company tries to cash in on carbon currency," June 13, 2009

Big value put on carbon market, December 24, 2009

Ontario promotes green credentials to lure investors, December 11, 2009

Company tries to cash in on carbon currency, June 13, 2009

Payment due: May 27, 2015
[15-0007] (EB-2014-0261) Dawn Parkway
2016 Expansion Project
Invoice # 15067



Invoice Issued: Apr 27, 2015
**Please make payment to Zizzo Allan
DeMarco LLP**

Zizzo Allan DeMarco LLP
5 Hazelton Avenue, Suite 200
Toronto ON M5R 2E1 Canada
1 (888) 389-5798

Billed To
Association of Power Producers of Ontario
Suite 1602
25 Adelaide Street East
Toronto ON M5C 3A1
Canada

Invoice

Billable Time	\$24,451.17
Expenses	\$15.01
	\$24,466.18
Taxes	\$3,180.60
	\$27,646.78
Retainer Applied	\$0.00
Invoice Total	\$27,646.78

Payment due: **May 27, 2015**

invoice details

Item	Worker	Completed	Type	Hrs / Qty	Rate / Price	Taxes	Subtotal
Instructions re: IR motion to Mary;	Lisa DeMarco	1/6/15	Timed	00:18	\$750.00	HST 13%	\$225.00
Motion re: IRs communications to/from D. Butters;	Lisa DeMarco	1/7/15	Timed	00:30	\$750.00	HST 13%	\$375.00
Call with J Wolnik and D. Butters re: motion on further and better reports;	Lisa DeMarco	1/9/15	Timed	01:36	\$750.00	HST 13%	\$1,200.00
Reviewed procedural order and OEB rules of practice and procedure;	Joanna Kyriazis	1/14/15	Timed	00:32	\$250.00	HST 13%	\$133.33
Communications with D. Butters and J. Wolnik regarding intervenor evidence;	Lisa DeMarco	1/18/15	Timed	00:12	\$750.00	HST 13%	\$150.00
[DISBURSEMENT] Courier to the OEB;	Hubie Yu	1/19/15	Expense		\$15.01	HST 13%	\$15.01
Drafting/reviewing letter to Ontario Energy Board Re: Union IR Responses	Travis Allan	1/19/15	Timed	11:15	\$350.00	HST 13%	\$3,937.50
Reviewing letter to Ontario Energy Board re Union Responses to IRs;	Joanna Kyriazis	1/19/15	Timed	02:58	\$250.00	HST 13%	\$741.67
Prepared for and filed letter re Union's IRR;	Joanna Kyriazis	1/19/15	Timed	01:08	\$250.00	HST 13%	\$283.33

Item	Worker	Completed	Type	Hrs / Qty	Rate / Price	Taxes	Subtotal
Communication with T. Allan and J. Wolnik regarding Union/Dawn IR letter; instructions to file on RESS; review questions from Board Staff on Rosenkranz evidence;	Lisa DeMarco	1/19/15	Timed	01:54	\$750.00	HST 13%	\$1,425.00
Review PO#2 and forward to D. Butters;	Lisa DeMarco	1/29/15	Timed	00:18	\$750.00	HST 13%	\$225.00
Communications with J. Wolnik regarding comments on issues list;	Lisa DeMarco	2/2/15	Timed	00:18	\$750.00	HST 13%	\$225.00
Communications with J. Wolnik re: changes to issues list;	Lisa DeMarco	2/3/15	Timed	00:18	\$750.00	HST 13%	\$225.00
Communications with Dave and John re: settlement conference strategy; review strategy from J. Wolnik;	Lisa DeMarco	2/4/15	Timed	00:24	\$750.00	HST 13%	\$300.00
Review decision on issue list; communications with Dave re: Board response;	Lisa DeMarco	2/6/15	Timed	00:18	\$750.00	HST 13%	\$225.00
* Preparation for and attendance at settlement conference;	Lisa DeMarco	2/9/15	Timed	06:48	\$290.00	HST 13%	\$1,972.00
Call with D. Butters and J. Wolnik regarding settlement conference update and follow up emails regarding same;	Lisa DeMarco	2/10/15	Timed	00:48	\$750.00	HST 13%	\$600.00
Settlement conference follow up calls; communications (2) regarding next steps with intervenors with D. Butters;	Lisa DeMarco	2/11/15	Timed	02:06	\$750.00	HST 13%	\$1,575.00
Settlement negotiations call with intervenors;	Lisa DeMarco	2/12/15	Timed	02:12	\$750.00	HST 13%	\$1,650.00

Item	Worker	Completed	Type	Hrs / Qty	Rate / Price	Taxes	Subtotal
Settlement negotiations calls; question from G. Morrison regarding "used and useful" versus "in service"; communications with D. Butter and J. Wolnik regarding progress; call with D. Butters regarding call from Union;	Lisa DeMarco	2/13/15	Timed	02:18	\$750.00	HST 13%	\$1,725.00
Conference calls (3) with V. DeRose; review AFUDC proposal of Union; instruction email to/from D. Butters; call with Union; call with D. Butters; call to J. Wolnik; follow up regarding same;	Lisa DeMarco	2/19/15	Timed	03:54	\$750.00	HST 13%	\$2,925.00
Finalize settlement negotiations and email reports to D. Butters and J. Wolnik; calls (2) with V. DeRose (CME)	Lisa DeMarco	2/20/15	Timed	02:06	\$750.00	HST 13%	\$1,575.00
Email to and from G. Morrison regarding settlement;	Lisa DeMarco	2/22/15	Timed	00:12	\$750.00	HST 13%	\$150.00
Review PO #3 and send via email to D. Butters; communications from Union and intervenors on settlement draft;	Lisa DeMarco	2/24/15	Timed	00:30	\$750.00	HST 13%	\$375.00
Review and comment on draft settlement to Union; communications with J. Wolnik and D. Butters regarding approach to agreement and no position;	Lisa DeMarco	2/25/15	Timed	01:24	\$750.00	HST 13%	\$1,050.00
Prepared for hearing;	Joanna Kyriazis	3/4/15	Timed	01:07	\$250.00	HST 13%	\$279.17
* Attendance at OEB hearing;	Joanna Kyriazis	3/5/15	Timed	02:13	\$250.00	HST 13%	\$554.17

Item	Worker	Completed	Type	Hrs / Qty	Rate / Price	Taxes	Subtotal
Review notes and draft summary to client after OEB hearing;	Joanna Kyriazis	3/5/15	Timed	00:57	\$250.00	HST 13%	\$237.50
NO CHARGE: Debrief with LD re hearing on settlement proposal;	Joanna Kyriazis	3/6/15	Timed	00:15	\$0.00	HST 13%	\$0.00
Reviewed revised settlement agreement;	Joanna Kyriazis	3/6/15	Timed	00:27	\$250.00	HST 13%	\$112.50
NO CHARGE: Document management;	Joanna Kyriazis	3/24/15	Timed	02:27	\$0.00	HST 13%	\$0.00
NO CHARGE: Case management;	Joanna Kyriazis	3/27/15	Timed	01:16	\$0.00	HST 13%	\$0.00

Subtotal	\$24,466.18
HST 13%	\$3,180.60
Total due by May 27, 2015	\$27,646.78

INVOICE

Invoice Number: 1448587
Date: December 31, 2014
Client: ASSOCIATION OF POWER
PRODUCERS OF ONTARIO
(APPRO)
RE: Union Gas Limited - Dawn
Parkway 2016 Expansion Project
(EB-2014-0261)
Matter No: 01015413-0040

Barristers & Solicitors / Patent & Trade-mark Agents

Norton Rose Fulbright Canada LLP
Royal Bank Plaza, South Tower, Suite 3800
200 Bay Street, P.O. Box 84
Toronto, Ontario M5J 2Z4 CANADA

T : +1 416.216.4000
F : +1 416.216.3930
toronto@nortonrosefulbright.com
nortonrosefulbright.com

ASSOCIATION OF POWER PRODUCERS OF ONTARIO (APPRO)
Suite 1802
25 Adelaide Street East
Toronto, Ontario M5C 3A1

Attention: David Butters
President

GST: R111340006

For professional services rendered and disbursements incurred for the period
ending December 31, 2014.

FEES	2,080.00
DISBURSEMENTS (Taxable)	630.76
DISBURSEMENTS (Non Taxable)	0.00
NET	2,710.76
HST	352.40
TOTAL FOR THIS INVOICE IN CANADIAN DOLLARS	\$3,063.16

Please note that interest at the rate of 1.3% per annum may be charged on any invoice
that is not paid in full within 30 days from the date on which it was issued.

Payable upon receipt

Banking Information for wire transfer
RBC Financial Group, Main Branch, Royal Bank Plaza
Toronto, Ontario, CANADA
Bank 003, Transit 00002, Acc. No. 108-030-0
Swift Code # ROYCCAT2
Include invoice number on transfer order

ASSOCIATION OF POWER PRODUCERS
OF ONTARIO (APPRO)

01015413-0040

RE: **Union Gas Limited - Dawn Parkway 2016 Expansion Project (EB-2014-0261)**

FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
27/10/14	Elisabeth L Demarco	Revise Notice of Intervention.	0.20	840.00	168.00
27/10/14	Lauren Heuser	Coordinating filing of APPRO's notice to intervene in proceeding EB-2014-0261.	0.20	320.00	64.00
28/10/14	Elisabeth L Demarco	Review OEB letter of direction and notice. Email to client.	0.50	840.00	420.00
28/11/14	Elisabeth L Demarco	Review draft IRs from J. Wolnik. Minor comments to same. Recirculate to D. Butters and J. Wolnik for comments. Prepare final for filing.	1.40	840.00	1,176.00
4/12/14	Elisabeth L Demarco	Communications with D. Butters regarding IRs.	0.30	840.00	252.00
TOTAL FEES					CAD \$2,080.00

DISBURSEMENTS - TAXABLE

Copies		622.75
Courier service		8.01
TOTAL		CAD \$630.76

INVOICE: 1448587

INVOICE

Invoice Number: 1427926
Date: October 31, 2014
Client: ASSOCIATION OF POWER
PRODUCERS OF ONTARIO
(APPRO)
RE: Union Gas Limited - Dawn
Parkway 2016 Expansion Project
(EB-2014-0261)
Matter No: 01015413-0040

Barristers & Solicitors / Patent & Trade-mark Agents

Norton Rose Fulbright Canada LLP
Royal Bank Plaza, South Tower, Suite 3800
200 Bay Street, P.O. Box 84
Toronto, Ontario M5J 2Z4 CANADA

T : +1 416.216.4000
F : +1 416.216.3930
toronto@nortonrosefulbright.com
nortonrosefulbright.com

ASSOCIATION OF POWER PRODUCERS OF ONTARIO (APPRO)
Suite 1602
25 Adelaide Street East
Toronto, Ontario M5C 3A1

Attention: David Butters
President

GST: R111340006

For professional services rendered and disbursements incurred for the period
ending September 30, 2014.

FEES	1,013.00
DISBURSEMENTS (Taxable)	0.00
DISBURSEMENTS (Non Taxable)	0.00
NET	1,013.00
HST	131.69
TOTAL FOR THIS INVOICE IN CANADIAN DOLLARS	\$1,144.69

Please note that interest at the rate of 1.3% per annum may be charged on any invoice
that is not paid in full within 30 days from the date on which it was issued.

Payable upon receipt

Banking information for wire transfer
RBC Financial Group, Main Branch, Royal Bank Plaza
Toronto, Ontario, CANADA
Bank 003, Transit 00002, Acc. No. 108-030-0
Swift Code # ROYCCAT2
Include invoice number on transfer order

ASSOCIATION OF POWER PRODUCERS
OF ONTARIO (APPRO)

01015413-0040

RE: **Union Gas Limited - Dawn Parkway 2016 Expansion Project (EB-2014-0261)**

FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
10/9/14	Elisabeth L Demarco	Communications with J. Wolnik regarding APPRO's participation in the proceeding. Instructions to prepare Notice of Intervention.	0.50	840.00	420.00
12/9/14	Elisabeth L Demarco	Communications with D. Butters regarding participation in proceeding.	0.30	840.00	252.00
15/9/14	Elisabeth L Demarco	Instructions to L. Heuser to prepare request to intervene.	0.30	840.00	252.00
16/9/14	Rahool Agarwal	Reviewing Notice of Intervention prepared by L. Heuser and e-mail correspondence with L. Heuser regarding same.	0.20	445.00	89.00
TOTAL FEES				CAD \$1,013.00	

INVOICE: 1427926



Order Details

Logged in as MAILROOM

New Order

Order Tracking

Search

Addressbook

Reports

Admin

Logout

Order #6602408

PICK UP:
 Norton Rose Fulbright Canada LLP. Toronto- SOUTH
 TOWER
 200 BAY STREET, Unit 3400
 Toronto, ON M5J2Z4
 CANADA
 MAILROOM
 P: (416) 216-3938
 F: (416) 216-3930

DELIVER TO:
 Ontario Energy Board
 2300 Yonge Street, Unit 2700
 Toronto, ON M4P1E4
 CANADA
 Kirsten Wall
 P:
 F:

Order Information

Pick Up Date: 3/12/2015	Ready Time: 10:00	Service: 4 HOURS	Vehicle: CAR
Delivery Date: 3/12/2015	Deliver By: 14:00	Insurance: NO	Declared Value: \$0.00
Status: Finalized	Picked Up: 3/12/2015 10:17	Delivered: 3/12/2015 13:35	Waiting Time: 0 min.
Weight: 1 Lbs	Reference: 20579/00578300-0579	Waybill #:	
Ordered By: MAILROOM	Department:		

Signature: fatima

Signature:

Packages

*ENVELOPE

Comments:

Charges

Base Amount:	\$7.00
Weight Surcharge:	\$0.00
Waiting Time Surcharge:	\$0.00
Package Surcharge:	\$0.00
Vehicle Surcharge:	\$0.00
After Hours Surcharge:	\$0.00
Insurance Surcharge:	\$0.00
Fuel Surcharge:	\$0.69
Extras:	\$0.00
Subtotal before taxes:	\$7.69
Discount:	\$0.00
HST_ON (13.00%):	\$1.00
Total:	\$8.69

OK

Reprint Waybill

Duplicate

EB-2014-0261

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**UNITED
MESSENGERS LTD.**

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ZIZZO ALLAN PROFESSIONAL CORP
41A AVENUE RD
TORONTO, ON M5R2G3

UNITED MESSENGERS LTD.

270 DRUMLIN CIRCLE

CONCORD, ON L4K 3E2

PHONE: (905) 738-6447 FAX: (905) 738-9625

ACCOUNT#: ZIZZ1F

DATE: 1/31/2015

INVOICE#: 794840

PAGE: 1

P.O.: ACCOUNTS PAYABLE

Waybill	Date	Cost Centre/Refnum	From	To	Description	Amount
842309	1/19/2015		ZIZZO ALLAN DEMARCO LLP	Ontario Energy Board	SHOTPT1-2	15.01
		{15-0007} EB2014-...	41A AVENUE RD	2300 YONGE ST 27TH FLR	TOTAL:	15.01
		cn:TRAVIS ALLAN	TORONTO,M5R2G3	Toronto,M4P1E4	HST:	1.95
			RECEIVED BY: nicole	TIME: 16:25		
854597	1/29/2015	[15-0002]	Zizzo Allan DeMarco LLP	Ontario Energy Board	SHOTPT1-2	15.01
			41A AVENUE RD	2300 YONGE ST	TOTAL:	15.01
		cn:Joanna Kyriazis	TORONTO,M5R2G3	TORONTO,M4P1E4	HST:	1.95
			RECEIVED BY: nicole	TIME: 12:40		
TOTAL NUMBER OF WAYBILLS:						2
TOTAL ALL WAYBILLS:						\$30.02
R105452981 HST:						\$3.90
TOTAL BILLING:						\$33.92

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 fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

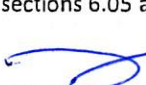
- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: 170.00 Country: Canada
- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each consultant or lawyer/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 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>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion Proj</u>
Party: <u>APPRO, the Association of Power Producer</u>	Affiant's Name: <u>Travis Allan</u>
HST Number: <u>1259 8802 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, Elisabeth (Lisa) DeMarco, 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 May 7/2015,
(date)

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0261

Process: Union Gas Limited Dawn Parkway 2016 Expansion Proj

Party: APPrO, the Association of Power Producer

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$1,912.50
Disbursements	\$0.00
HST	\$248.63
Total Cost Claim	\$2,161.13

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0261	Process: Union Gas Limited Dawn Parkway 2016 Expansion
Party: APPrO, the Association of Power Producers	Name: Travis Allan
Completed Years Practising/Years of relevant experience <hr/> 5 (2010) <hr/>	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/> Consultant: <input type="checkbox"/> CV attached: <input checked="" type="checkbox"/>	CV not required: <input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	11.25	\$170.00	\$1,912.50	\$248.63	\$2,161.13
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing		\$170.00	\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$1,912.50	\$248.63	\$2,161.13

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
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:		\$0.00	\$0.00



5 Hazelton Avenue, Suite 200
Toronto, ON M5R 2E1
TEL +1.888.389.5798
FAX +1.888.734.9459
www.zadllp.com

TRAVIS ALLAN, B.A., J.D.

EDUCATION AND TRAINING

- Called to the Bar of the Province of Ontario (2010)
- Member of the New York State Bar (2009)
- J.D., Faculty of Law, University of Toronto, Faculty of Law (2008)
 - Thesis: "A Law and Economics Analysis of Production and Process Measure Restrictions (PPMRs) under the World Trade Organization"
- Exchange program (International law), Universiteit van Amsterdam (2007)
- B.A., International Relations and Germanic Studies, University of British Columbia (2005)
- Fluent in oral and written English and German

RELEVANT EXPERIENCE

Partner, Zizzo Allan DeMarco LLP

2015 – Present

(Change of name due to addition of Lisa DeMarco as Partner)

- Advising corporate, public and not-for-profit clients on environmental, corporate, electricity and climate change law
- Undertaking multi-disciplinary policy research with economists, engineers and urban planners relating to environmental issues such as climate change adaptation, urban sprawl, greenhouse gas reporting and renewable energy production
- Leading national stakeholder research consultations for private and public sector clients
- Negotiating and drafting innovative commercial partnerships between charity clients and private entities
- Advising an international clean tech corporation with carbon credit holdings in a complex option transaction that dramatically increased returns for the client
- Counsel to large international organization of business leaders - advising and negotiating on sponsorship agreements with major funder
- Negotiation and drafting related to the transfer of environmental attributes between private parties, both domestically and internationally
- Authoring numerous articles and presentations on the use of market based mechanisms to address environmental challenges, including co-authoring an article exploring international carbon market linkages in the *Canadian Journal of Agricultural Economics*
- Drafting reports for various international clients on corporate disclosure of environmental risks
- Reviewing and advising on procurement contracts and RFPs (both drafting and response) for a variety of private sector clients and a First Nation government

Partner, Zizzo Allan Professional Corporation

2010– 2014

- Advised corporate, public and not-for-profit clients on environmental, corporate, electricity and climate change law
- Undertook multi-disciplinary policy research with economists, engineers and urban planners relating to environmental issues such as climate change adaptation, urban sprawl, greenhouse gas reporting and renewable energy production
- Led national stakeholder research consultations for private and public sector clients
- Negotiated and drafted innovative commercial partnerships between charity clients and private entities

- Advised an international clean tech corporation with carbon credit holdings in a complex option transaction that dramatically increased returns for the client
- Counsel to large international organization of business leaders - advising and negotiating on sponsorship agreements with major funder
- Since 2009- Advice to various domestic and international companies on
 - Limited partnership agreements
 - Joint venture agreements
 - Multi-party commercial leases
 - Unanimous shareholder agreements
 - Licensing agreements
 - Energy service performance agreements
 - Emissions reduction purchase agreement
- Federation of Canadian Municipalities - preparation of a report on legal issues related to municipal third-party greenhouse gas quantification and verification contracting along with model contractual language
- Advice to an international engineering firm on its greenhouse gas quantification and verification policies and associated contracts
- Negotiated and drafted related to the transfer of environmental attributes between private parties, both domestically and internationally
- Authored numerous articles and presentations on the use of market based mechanisms to address environmental challenges, including co-authoring an article exploring international carbon market linkages in the *Canadian Journal of Agricultural Economics*
- Drafted reports for various international clients on corporate disclosure of environmental risks
- Reviewed and advised on procurement contracts and RFPs (both drafting and response) for a variety of private sector clients and a First Nation government
- Advice to a large carbon credit developer on issues relating to the legal ownership and transfer of attributes
- Advice to regulated entities on permitting and species at risk offset design under species at risk legislation
- Lead counsel successfully representing one of Canada's largest industry associations in front of a high-level government policy review panel considering streamlining regulations and sectoral consolidation— our intervention was one of very few cited by the regulator in its summary report
- Effectively represented one of Canada's largest industry associations in front of a provincial administrative tribunal conducting a policy consultation considering efficiency, safety and adequacy of the framework for electricity regulation, as well as numerous other policy consultations

Articling Student, Donnelly Law

2009

- Represented First Nations at consultation and accommodation meetings with private developers and government

Associate and Summer Associate, Skadden, Arps, Slate, Meagher & Flom

2008 – 2009

- Provided legal services to a variety of the world's largest multi-national corporations including complex research and analysis of loan and other financial covenants in the context of international project financing and restructuring

Research Assistant to Dr. Katherine Baylis, University of British Columbia

2004 – 2005

- Co-authored 3 articles and provided the research for a book chapter on property rights issues surrounding the creation of a Canadian emissions trading system

SELECTED GOVERNANCE

- Governor, Ontario Land Trust Alliance 2012 – Present
- Board Member, Project Neutral 2012 – Present
- Co-Chair, Climate Change Lawyers Network 2010 – Present
- Co-Chair, Advocates' Circle, University of Toronto 2006 – 2007
- Responsible Investment Working Group, Founding Member, U of T 2005 – 2006
- Coordinator, Afghan Women and Children's Education Project, UBC 2003

SELECTED REPORTS AND PUBLICATIONS

Zizzo, L., Allan, T. and Kyriazis, J. "Understanding Canadian Electricity Generation and Transmission Sectors' Action and Awareness on Climate Change and the Need to Adapt", December, 2014

Zizzo, L., Allan, T. and Kocherga, A. "Stormwater Management in Ontario: Legal Issues in a Changing Climate", January, 2014 (to be released by Credit Valley Conservation Authority)

Allan, T. (co-author with various others) (2012) chapter on Securities Disclosure relating to Climate Change excerpted in "Facing the Elements: Building Business Resilience in a Changing Climate: Advisory Report" by the National Roundtable on the Environment and the Economy

Zizzo, L. and Allan, T. (2011) "Provincial Climate Change Update: Greenhouse Gas Emissions Reporting, Securities Disclosure, Emissions Trading and Municipal Considerations." Ontario Bar Association - Institute 2011 (Toronto, Ontario)

Allan, T. (2010) "Regulatory Requirements to Measure and Report Greenhouse Gases in 2010." *Innovation* (Journal of the Association of Professional Engineers and Geoscientists of BC)

Allan, T. & Baylis, K. (2005) "Sinks, Emissions Intensity Caps and Barriers to Emissions Trading." *Canadian Journal of Agricultural Economics* 53 (4), 291-305

Allan, T. & Baylis, K. (2005) "Property Rights and Climate Change: Legal Issues and Economic Consequences." CSALE Working Paper, University of Saskatchewan

SELECTED PRESENTATIONS

Allan, T. (2014) "Professional Liability and Climate Change," Ontario Centre for Engineering and Public Policy and York University. (Toronto, Ontario)

Allan, T. (2013) "Year of the Flood: Building Resiliency Through Legal Risk Management," Municipal Stormwater Management Discussion Group, Hosted by the City of Kitchener and Waterloo (Waterloo, Ontario)

Allan, T. (2013) "Key Issues In Negotiation of First Nations Ownership of Renewable Energy Projects," Panel on Green Energy, Hosted by the University of Toronto Faculty of Law (Toronto, Ontario)

Allan, T. (2013) "Innovative Funding Opportunities for Land Conservation (Credits and Ecosystem Services)," Ontario Land Trust Alliance 2013 Gathering (Orillia, Ontario)

Burda, C. and Allan, T. "Encouraging Location-Efficient Development in Ontario," GTA Clean Air Council (Toronto, Ontario)

Allan, T. (2013) "Legal Considerations—Offsets and Market-Based Mechanisms," Conservation Ontario/CA Watershed Stewardship/Forestry and Restoration Meeting (Newmarket, Ontario)

- Allan, T. (2013) "The Legal Climate—Climate Change Law in Canada," CAELS 2013 Environmental Law Conference (Ottawa, Ontario)
- Allan, T. (2013) "Municipal Action and Collaboration In a Changing Climate" presentation to the Federation of Canadian Municipalities Sustainable Communities Conference (Windsor Essex, Ontario).
- Allan, T. (2013) "The Legal Climate: Climate Change Law in Canada" presentation to the Canadian Association of Environmental Law Students inaugural national conference (Ottawa, Ontario)
- Allan, T. (2013) "Legal Considerations, Offsets and Market Based Mechanisms" presentation to the Conservation Ontario/CA Watershed Stewardship/Forestry and Restoration Meeting (Toronto, Ontario)
- Allan, T. (2012) "Carbon Credits: an Introduction." Project Neutral Neighbourhood Summit, (Toronto, Ontario)
- Allan, T. (2012) "Responsibilities and Risk Management In a Changing Climate" presentation at ICLEI's Livable Cities Forum (Hamilton, Ontario)
- Zizzo, L. and Allan, T. (2012) "Municipal Responsibilities in a Changing Climate." City of Hamilton
- Allan, T. (2011) "International Climate Finance – Legal Implications" International Development Bank (Washington, D.C.)
- Allan, T. and Nasmith, K. (2011) "Hybrid Planning: Neighbourhood Groups and Climate Change." Canadian Institute of Planners Congress 2011 (St. Johns, Newfoundland)
- Allan, T. (2011) "The Strategic Legal Advisor: Selected Professionalism Issues in a Hybrid Legal Practice." Canadian Bar Association Canadian Legal Conference & Expo 2011 (Halifax, Nova Scotia)
- Zizzo, L. and Allan, T. "The Legal Climate for Engineering Students." Presentation. University of Toronto, Faculty of Engineering October 2010
- Allan, T. (2009) "First Nations Consultation and Accommodation in Canada." Presentation. Living and Learning in Retirement (Glendon College, York University)
- Allan, T. & Baylis, K. (2005) "Sinks, Emissions Intensity Caps and Barriers to Emissions Trading." Presentation. Greenhouse Gas Management Canada Policy Forum, Victoria, B.C.

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 fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

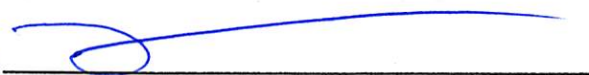
- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: 170.00 Country: Canada
- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each consultant or lawyer/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 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>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion Proj</u>
Party: <u>APPrO, the Association of Power Producer</u>	Affiant's Name: <u>Joanna Kyriazis</u>
HST Number: <u>1259 8802 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, Elisabeth (Lisa) DeMarco, 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 May 7/2015,
(date)

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0261

Process: Union Gas Limited Dawn Parkway 2016 Expansion Proj

Party: APPrO, the Association of Power Producer

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$2,295.00
Disbursements	\$0.00
HST	\$298.35
Total Cost Claim	\$2,593.35

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion</u>
Party: <u>APPRO, the Association of Power Producers</u>	Name: <u>Joanna Kyriazis</u>
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	2 (2013)
Consultant: <input type="checkbox"/>	
CV attached: <input checked="" type="checkbox"/>	CV not required: <input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	11.30	\$170.00	\$1,921.00	\$249.73	\$2,170.73
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing	2.20	\$170.00	\$374.00	\$48.62	\$422.62
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$2,295.00	\$298.35	\$2,593.35

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
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:		\$0.00	\$0.00



5 Hazelton Avenue, Suite 200
Toronto, ON M5R 2E1
TEL +1.888.389.5798
FAX +1.888.734.9459
www.zadllp.com

JOANNA KYRIAZIS, B.Sc., J.D.

EDUCATION AND TRAINING

- Member of New York State Bar (2013)
- Call to the Bar of the Province of Ontario (2015)
- J.D., Faculty of Law, University of Toronto (2012)
- B.Sc., Natural Resources, *magna cum laude*, Cornell University (2008)
- Semester Exchange at Institute for Central American Development Studies, Costa Rica (2007)
- Proficient in Spanish

RELEVANT EXPERIENCE

Associate, Zizzo Allan DeMarco LLP (Toronto, ON)

2015 – Present

(Change of name due to addition of Lisa DeMarco as Partner)

- Advise public, private and not-for-profit clients on climate change, energy, environmental and business law
- Assist in representation of clients in regulatory proceedings before Ontario Energy Board
- Report on legal drivers of climate mitigation and adaptation with particular focus on government liability relating to public infrastructure and water management
- Conduct research and stakeholder consultations on electric vehicle use and infrastructure in North America and advise municipalities on policy and planning solutions
- Prepare memoranda, reports and blog posts on emerging issues in international climate change negotiations, carbon pricing schemes and disclosure obligations regarding climate-related risks

Articling Student, Zizzo Allan Professional Corporation (Toronto, ON)

2014

- Advised public, private and not-for-profit clients on climate change, energy, environmental and business law
- Reported on legal drivers of climate mitigation and adaptation with particular focus on government liability relating to public infrastructure and water management
- Conducted research and stakeholder consultations on policy and planning developments in electric vehicle use and infrastructure in North America
- Prepared memoranda, reports and blog posts on emerging issues in international climate change negotiations, carbon pricing schemes and disclosure obligations regarding climate-related risks

Associate, Paul, Weiss, Rifkind, Wharton & Garrison LLP (New York, NY)

2012 – 2014

- Representation of global financial institutions, major investment banks and private equity firms in complex matters in federal and state courts across the country, as well as before the US Securities and Exchange Commission and regulatory authorities
- Assisted with litigations and regulatory investigations involving insurance, residential mortgage-backed securities and other structured financial products
- Researched and drafted memoranda, pleadings and substantive motion briefs
- Engaged in extensive fact investigations and assisted in the selection of qualified experts
- Prepared for and participated in witness interviews, depositions and oral arguments
- Advised environmental non-profit on incorporation and application for 501(c)(3) status

Volunteer Student Researcher, North-South Institute (Ottawa, ON)

2009-2011

- Provided research support to NSI publication *Tipping the Power Balance: Making Free, Prior and Informed Consent Work*, focused on scope of right to "free, prior and informed consent" under UN Declaration on the Rights of Indigenous Peoples and remedies available to indigenous groups

- whose rights are threatened by extractive industries
- Directed, supervised and coordinated research efforts of U of T students to identify remedies for indigenous peoples living near extractive industries with focus on corporate social responsibility standards in Canada, US and EU and enforcement powers of the Inter-American Commission and Court of Human Rights
- Research fed into NSI publication *Tipping the Power Balance: Making Free, Prior and Informed Consent Work*, lessons and policy directions from action research on extractives with Indigenous and Afro-descendant Peoples in the Americas
- Invited to attend NSI-hosted round table on the UN Convention on Indigenous Rights in November 2011 involving indigenous leaders, international experts and local non-profits

Volunteer Student Researcher, Avocats Sans Frontiers

2010-2011

- Through U of T International Human Rights Clinic, collaborated with Avocats Sans Frontiers and Uganda Prisons Service to prepare research report and develop test case litigation strategies to address human rights issues relating to lengthy pre-trial detention in Uganda

Legal Intern, USAID (Phnom Penh, Cambodia)

2010

- Advisory work on USAID-funded Micro, Small and Medium Enterprise Project on regulatory and legal changes to improve the competitiveness of Cambodia's agricultural sector and enhance public health and environmental impact effectiveness
- Drafted report of legal recommendations for submission to UN Food & Agriculture Organization and Cambodian Ministry of Agriculture, Forestry & Fisheries and Department of Animal Production for new national animal health and production law
- Conducted review of Cambodia's regulatory and policy framework for key agricultural value chains and carried out comparative analysis against frameworks in Malaysia, Thailand, EU
- Engaged with public and private stakeholders through field interviews and by organizing local conferences to identify problem areas in compliance and implementation of current animal transport regulations
- Collaborated with donors such as the Asian Development Bank, consultants, international experts and local attorneys on policy advisory work

SELECTED GOVERNANCE

- Expert Panel Coordinator, GreenPAC 2014 – Present
- Young Professionals Council Member, Green City Force 2013 – 2014
- Project Coordinator, U of T Law & Development Society 2010-2012
- Associate Editor, University of Toronto Faculty of Law Review 2009 – 2010
 - Environmental Cell Group
- Undergraduate Teaching Assistant, Environmental Conservation 2007-2008

SELECTED REPORTS AND PUBLICATIONS

Zizzo, L., Allan, T. and Kyriazis, J. "Understanding Canadian Electricity Generation and Transmission Sectors' Action and Awareness on Climate Change and the Need to Adapt", December, 2014

Kyriazis, J. "Towards the 2020 Aichi Biodiversity Targets: How the Convention on Biological Diversity Can Enhance International Conservation Efforts through Coordinated Species Listing," University of Toronto, Faculty of Law, Senior Directed Research Paper, 2012

Kyriazis, J (co-author with various others). 2009. *Biofuel Impacts on World Food Supply*. Energies (1): 41-78

Kyriazis, J (co-author with various others). 2008. *Food Versus Biofuels: Environmental and Economic Costs*. Human Ecology (37): 1-12

Kyriazis, J. "Environmental Protection Through International Trade: Development of Environment and Labor Chapters in NAFTA, CAFTA-DR and US-Peru Free Trade Agreements," Cornell University, Senior Policy Discussion Paper, 2008

Kyriazis, J. 2008. *Market-Based Forest Conservation. 25 Ideas for Community Development*, Roosevelt Institute

Various blog entries for Zizzo Allan Professional Corporation, including:

- "Climate Week 2014: Governments and Industries Commit to Action-Oriented Solutions" (6 October 2014)
- "Economic Growth and Climate Action Can Be Achieved Together, Global Commission Report Finds" (23 September 2014)
- "Canada Makes Headway on National Energy Strategy" (5 September 2014)
- "Environmental Commissioner's 2014 Report: Ontario Needs Climate Leadership" (22 July 2014)
- "Risky Business Report Shows Huge Potential Business Costs from Climate Change" (8 July 2014)
- "Exxon Mobil Responds to Investor Concerns – Discloses More on Climate Risks" (6 May 2014)

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 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: 230.00 Country: Canada
- 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 consultant or lawyer/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 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>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion Proj</u>
Party: <u>APPRO, the Association of Power Producer</u>	Affiant's Name: <u>Rahool Agarwal</u>
HST Number: <u>1259 8802 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, Elisabeth (Lisa) DeMarco, 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 May 7 / 2015
(date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0261

Process: Union Gas Limited Dawn Parkway 2016 Expansion Project

Party: APPrO, the Association of Power Producers

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$46.00
Disbursements	\$0.00
HST	\$5.98
Total Cost Claim	\$51.98

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2014-0261</u>		Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion</u>	
Party: <u>APPrO, the Association of Power Producers</u>		Name: <u>Rahool Agarwal</u>	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/> Consultant: <input type="checkbox"/> CV attached: <input checked="" type="checkbox"/>		Completed Years Practising/Years of relevant experience <u>2007 (8 years)</u> CV not required: <input type="checkbox"/>	

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	0.20	\$230.00	\$46.00	\$5.98	\$51.98
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$46.00	\$5.98	\$51.98

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
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:		\$0.00	\$0.00

Rahool Agarwal

Partner

Toronto, Canada

Norton Rose Fulbright Canada LLP

+1 416.216.3943

rahool.agarwal@nortonrosefulbright.com

Ontario 2007



Rahool Agarwal's practice focuses on complex corporate and commercial litigation, including contractual disputes, shareholder disputes, class actions, defamation claims and injunctions.

Mr. Agarwal also has extensive experience in constitutional law and public law. His experience includes acting as lead counsel in cases involving the constitutionality of a safe injection site, discrimination against learning disabled students in the public school system and the application of state immunity in response to allegations of torture. He has published on constitutional issues in the *Review of Constitutional Studies*, the *Journal of Parliamentary and Political Law*, *Charter and Human Rights Litigation* and *Constitutional Forum*.

Mr. Agarwal has argued cases at all levels of court in Ontario, the Quebec Court of Appeal and four cases in the Supreme Court of Canada.

Mr. Agarwal is actively involved in our pro bono program. He has represented several clients on a pro bono basis, and also volunteers with Law Help Ontario's Superior Court and Appeals Assistance projects.

In November 2011, Mr. Agarwal was named "Young Practitioner of the Year" by the South Asian Bar Association of Toronto. In June 2013, he was awarded a "Precedent Setter Award" by the legal publication *Precedent Magazine*.

Related services

Administrative and public law; Construction, engineering and infrastructure; Transnational litigation; Professional liability; Litigation; Product liability; Supreme Court of Canada and appellate advocacy; Insurance; Banking and finance.

Key industry sectors

Energy, Financial institutions

Law school and education

J.D., University of Toronto, 2006

B.Comm., University of Alberta, 2003

Selected client work

Rahool Agarwal

Corporate/commercial: Bioniche Life Sciences (proxy battle); FC Financial Group (shareholder dispute re: exercise of shotgun clause); English Bay Batter (contract claim against fixed-price energy retailer); Invescor Restaurants (enforceability of restrictive covenants); RX Exploration (proxy battle); Bank of America (Circuit City restructuring)

Class actions: Pfizer (validity of Viagra patent); Imperial Tobacco (claim by tobacco growers re: historical tobacco smuggling); Canadian National Railway (misclassification of managerial employees); Bank of Nova Scotia (claim by retail bank employees for overtime pay)

Complex litigation: Merck (claim under section 8 of the PM(NOC) Regulations); Imperial Tobacco (contractual dispute with governments of Canada and Ontario); Porter Airlines (judicial review involving operations at the Island Airport); Porter Airlines (defamation claim against union for statements made during a strike); S.A. Capital (parameters of the doctrine of absolute privilege); Celulosa Arauco y Constitucion (letters rogatory application for a Chilean company with respect to a multi-million dollar environmental contamination claim)

Injunctions: Money In Motion (injunction to prohibit improper solicitation and misuse of confidential information); Interprovincial Lottery Corporation (injunction to compel a lottery draw)

Constitutional/public Law: The REDRESS Trust (*Kazemi v Islamic Republic of Iran*); Canadian Association of Critical Care Nurses (*Cuthbertson v Rasouli*); Barbra Schlifer Commemorative Clinic (*NS v Her Majesty The Queen*); International Dyslexia Association, Ontario Branch (*Moore v British Columbia*); Registered Nurses' Association of Ontario (*Canada v PHS Community Service Society*)

Publications

- Ontario Court of Appeal allows privacy class action to proceed, February 2015
- Ontario's Court of Appeal clarifies the assumption of jurisdiction on the basis of contract, July 2014
- Battles for control of a company: Practical lessons from Wells v. Bioniche Life Sciences Inc., May 2014
- Supreme Court of Canada weighs in on test for summary judgment, January 2014
- Supreme Court of Canada clarifies test for causation in negligence cases, July 2012
- Jones v. Tsige Ontario Court of Appeal Recognizes Tort for the Invasion of Privacy, May 2012
- Club Resorts Ltd. v Van Breda: The Supreme Court of Canada considers the test for jurisdiction, April 2012
- Case Comment Canada (Attorney General) v PHS Community Services Society, November 2011

Rahool Agarwal

- Ontario Court of Appeal considers whether consent is needed to remove patient from life support, July 2011

Speaking engagements

- "Intervener Motions and Supreme Court Advocacy," Supreme Court and Constitutional Litigation Conference, The Commons Institute, June 2013.
- "Rasouli v Sunnybrook: End-of-Life Lessons We Have Learned and Might Learn" (with Mark Handelman), Toronto East General Hospital Grand Rounds, June 2013.
- "Intervening in Charter Appeals: Tips & Tricks," Nuts and Bolts: Litigating Charter Applications and Appeals, Ontario Bar Association, November 2012.
- "Intrusion Upon Seclusion: Ontario's New Tort," KPMG Lunch & Learn, October 2012.
- "Insights on Insite," Law Union of Ontario Conference, February 2012.
- "Summary Judgment Motions in Ontario," Norton Rose Canada, February 2012.
- "Niqab on the Stand," Osgoode Hall Law School, January 2012.
- "*Canada (Attorney General) v PHS Community Services Society*," Ministry of the Attorney General, Administrative Law Practice Group Meeting, December 2011.
- Sixth Annual Conference on Student Publishing in Law, Faculty of Law, University of Toronto, March 2011.

Media highlights

- Norton Rose Fulbright Canada welcomes new partners and Of Counsel, December 16, 2014
- Law Times – Appeal court rejects jurisdiction for accident in Alberta, October 6, 2014
- Norton Rose Fulbright's Rahool Agarwal a 2013 Precedent Setter, June 17, 2013
- Supreme Court mired in Insite decision, May 17, 2011

Rankings and recognitions

- 2013 Precedent Setter Award, *Precedent Magazine*
- 2011 Young Practitioner of the Year, South Asian Bar Association of Toronto
- Goodmans Prize in Administrative Law
- Top team and top oralist, 2005 Wilson Moot Competition
- Top team, 2005 Canadian National Debating Championship

Membership and activities

- Canadian Bar Association
- Ontario Bar Association
- The Advocates' Society
- Contributing editor, *Commercial Litigation and Arbitration Review*

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

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Rate: 170.00 Country: Canada
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File # EB- <u>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion Proj</u>
Party: <u>APPRO, the Association of Power Producer</u>	Affiant's Name: <u>Lauren Heuser</u>
HST Number: <u>1259 8802 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, Elisabeth (Lisa) DeMarco, of the City/Town of Toronto
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1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
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Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,
in the Province/State of Ontario, on May 7/2015,
(date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0261

Process: Union Gas Limited Dawn Parkway 2016 Expansion Proje

Party: APPrO, the Association of Power Producer

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$34.00
Disbursements	\$0.00
HST	\$4.42
Total Cost Claim	\$38.42

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2014-0261</u>		Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion</u>	
Party: <u>APPRO, the Association of Power Producers</u>		Name: <u>Lauren Heuser</u>	
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/> Consultant: <input type="checkbox"/> CV attached: <input checked="" type="checkbox"/>		Completed Years Practising/Years of relevant experience <u>2 (2013)</u> CV not required: <input type="checkbox"/>	

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	0.20	\$170.00	\$34.00	\$4.42	\$38.42
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$34.00	\$4.42	\$38.42

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
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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:		\$0.00	\$0.00

Lauren Heuser**Associate****Toronto, Canada****Norton Rose Fulbright Canada LLP****+1 416.216.2991****lauren.heuser@nortonrosefulbright.com****Ontario 2013**

Lauren Heuser is an associate in our business law group where she practises primarily in the areas of energy and environmental law, regulatory law and compliance in the financial services industry, and project finance.

Within her energy practice, Ms. Heuser is regularly involved in advising leading energy clients on their environmental disclosure and compliance obligations, power project development, carbon emissions trading contracts, and cleantech development and finance. She is also involved in representing clients in a variety of natural gas and electricity matters before regulatory agencies, including the Ontario Energy Board and the National Energy Board. Ms. Heuser also interacts with federal and provincial governments and regulatory agencies on evolving energy and environmental policy and regulatory matters.

As part of her financial services work, Ms. Heuser is involved in advising major financial institutions on their compliance obligations in a diverse array of matters, including consumer protection law, risk management and sanctions legislation. Ms. Heuser also regularly acts for international and domestic lenders and borrowers in project finance, asset-based lending, acquisition finance and debt-restructuring transactions.

Ms. Heuser worked in our Toronto office as a summer student in 2011 and as an articling student in 2012-2013. During her articles, she was seconded to the Royal Bank of Canada's Corporate Services law group. Ms. Heuser contributes to the practice's M&A blog, Deal Law Wire and has written on energy market issues.

While at law school, Ms. Heuser was awarded the Canada Law Book prize for achieving highest standing in property law, was a chair of the University of Toronto Law Faculty's mooted association, and a volunteer with a downtown legal clinic.

Related services

Regulation and investigations; Cleantech and renewable energy; Projects and project finance; Environmental.

Law school and education

J.D., University of Toronto, 2012

B.A.(Hons.), University of Manitoba, 2009

Lauren Heuser

Publications

- Energy storage: The green energy silver bullet?, July 2014
- When trade and climate change measures collide: Reconciling progressive climate change measures with free trade and national sovereignty obligations, November 2013
- BC Court of Appeal confines duty to consult to novel impacts, October 2013

Membership and activities

- Canadian Bar Association
- Ontario Bar Association
 - Natural Resources and Energy Law Section

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

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File # EB- <u>2014-0261</u>	Process: <u>Union Gas Limited Dawn Parkway 2016 Expansion Proj</u>
Party: <u>APPRO, the Association of Power Producer</u>	Affiant's Name: <u>John Wolnik</u>
HST Number: <u>1259 8802 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, Elisabeth (Lisa) DeMarco, 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".
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Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,
in the Province/State of Ontario, on May 7/2015,
(date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0261

Process: Union Gas Limited Dawn Parkway 2016 Expansion Project

Party: APPRO, the Association of Power Producers

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$11,055.00
Disbursements	\$170.29
HST	\$1,459.29
Total Cost Claim	\$12,684.58

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0261	Process: Union Gas Limited Dawn Parkway 2016 Expansion
Party: APPrO, the Association of Power Producers	Name: John Wolnik
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	30+
Consultant: <input checked="" type="checkbox"/>	
CV attached: <input checked="" type="checkbox"/>	CV not required: <input type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	27.25	\$330.00	\$8,992.50	\$1,169.03	\$10,161.53
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	6.25	\$330.00	\$2,062.50	\$268.13	\$2,330.63
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument			\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$11,055.00	\$1,437.15	\$12,492.15

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
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	\$149.40	\$19.42	\$168.82
Travel (Other): mileage	\$4.96	\$0.64	\$5.60
Parking		included	\$0.00
Taxi or Airport Limo	\$15.93	\$2.07	\$18.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$170.29	\$22.14	\$192.43

JOHN WOLNIK



34 King Street East, Suite 600 | Toronto, ON M5C 2X8 | 519 474 0844 | jwolnik@elenchus.ca

ASSOCIATE, NATURAL GAS

John Wolnik is an Associate of Elenchus Research Associates Inc., and President of GSA Energy Company. He has 40 years of experience in many sectors of the natural gas and power industries working both as an independent consultant and in senior management roles for Union Gas and Westcoast Energy.

As a consultant, he has provided services for a number of companies in the areas of:

- Regulatory support for utility rate, facility and other regulatory applications before provincial and federal regulators
- Project development support for natural gas pipelines
- Development of procurement strategies for new customers requiring natural gas, distribution, transmission and storage services
- Commercial and regulatory advice on natural gas supply, transmission, storage and distribution related matters.

As Director of Business Development for Westcoast Energy with responsibility for underground gas storage and gas pipeline project evaluation and development, he acted as project manager on numerous pipeline and underground gas storage projects. John has business development experience in Canada and the US as well as international experience. Responsible for acquiring all of the Union Gas' system gas supply, John developed a strong foundation of knowledge in gas supply and transportation matters within Canada and the US. He was also instrumental in restructuring Union Gas' supply portfolio and transitioning to the market based environment upon deregulation of the industry. He is experienced in utility field operations, and engineering.

John has a Master's Degree in Business Administration and a degree in Civil Engineering both from McMaster University in Hamilton.

PROFESSIONAL OVERVIEW

Consulting Focus

Natural gas regulatory and commercial matters in transmission and distribution sectors of all the natural gas industry including pipeline and storage assessment and development

Consulting

2004 - Present

Examples of recent assignments include:

- Actively participated for the client since 2006, in most major Ontario LDC natural gas rate, facility, and other applications in front of the Provincial regulator, including assessing customer impact, developing case strategy, cross examination and final argument
- Provided technical support for client to assess the impact and alternative rate strategies for TCPL rate case applications in front of the National Energy Board
- Effectively participated, including leading and supporting evidence in a variety of Ontario Energy Board sponsored initiatives on behalf of customers including:
 - Storage & Transportation Access Rule
 - Service Process Improvements
 - Storage Allocation Proceeding
 - Natural Gas Electricity Interface Review
 - Natural Gas Forum
- Provided support for several large volume customers to confirm the utility proposed pipeline sizing and development plan as well as assessed the potential for capital cost overrun risk
- Provided support for a large volume industrial customer to negotiate commercial agreements with the natural gas utility to develop a new 60 km pipeline required to serve the customer with gas service. This included technical review of the proposed pipelines and the proposed cost estimate, as well support for the regulatory strategy and assistance to audit the costs after construction was complete
- Developed a direct purchase seminar for an LDC that was transitioning to an open market
- Actively participated in TransCanada Tolls Task force to evaluate rate and service proposals
- Advised gas fired generators on development and operating strategies including load balancing requirements
- Acted as an expert witness for litigation support
- Developed a commercial value for the acquisition of over 200 bcf of underground natural gas storage in Western Canada and the United States
- Assessed the expansion criteria for pipelines nearing capacity
- Assessed commercial feasibility of new underground storage projects
- Developed natural gas supply, transportation and storage strategies, and risk analysis for new gas fired generators and industrial customers

- Provided site evaluation and permitting support for new generators
- Provided marketing and strategic support for new pipeline and underground storage development
- Evaluated markets and strategic value of storage for European client
- Provided support for landfill gas company to sell and transport processed landfill gas into Canadian marketplace

Union Gas

2003

- Functioned as marketing lead on a team to dispose of specific major capital assets
- Provided strategic regulatory support in the area of upstream transportation issues
- Provided marketing support for development of new products and services

Westcoast Energy

1999 - 2002

Director, Business Development

- Project Managed Westcoast's involvement in the development and construction of two major natural gas pipeline projects. Specific responsibilities included:
 - Project origination and commercial feasibility
 - Negotiation of all ownership and major development agreements
 - Company representative on partnership management committees
 - Responsible for the leadership of a team for the evaluation of a \$175 million new pipeline project, including engineering design, marketing, regulatory approvals land acquisition, and environmental considerations
- Assessed commercial and technical feasibility to develop underground compressed air energy storage
- Functioned as the commercial and technical lead on feasibility analysis of two new underground natural gas storage opportunities in Canada. Each project had an expected development cost of CDN \$100-150 million.
- Led a technical and commercial team to identify feasibility of a storage opportunity in North Western Europe.
- Facilitated stakeholder and First Nations consultations

St. Clair Pipelines (Westcoast)

1993 - 1998

Manager, Storage Business Development

- Identified and managed the evaluation of potential storage projects in Michigan and New York States as well as other storage projects that supported Westcoast initiatives including projects in the Pacific Northwest area of the US, Alberta and the East Coast of Canada.

- Leadership of a multi-disciplinary team consisting of internal personnel and outside consultants to competitively bid and subsequently evaluate the conversion of four gas fields to underground storage in Australia. This included a full technical and commercial review, and development recommendations. These fields were developed and are currently in operation today based on the work completed.
- Managed the company's interests in a New York State based storage project and also recommended that the company exit the project when the development risks exceeded the corporate risk appetite.

Union Gas

1991 - 1993

Manager, Storage Business Developments

- Led a team in evaluating commercial and technical aspects of new storage opportunities in Michigan and New York States, including developing "go/no-go" criteria, ownership structures and potential partners.

Union Gas

1987 - 1991

Manager, Gas Purchasing

- Negotiated new and re-negotiated pricing and volume terms in existing gas supply and transportation contracts for up to 250 bcf annually (annual value over \$500 million), resulting in reduced gas supply costs each year and defended the results before the Ontario Energy Board.
- Managed a commercial arbitration with one supplier resulting in a cost reduction of approximately \$6 million annually.
- Instituted a new program to acquire competitive alternate supplies in an era when this had not been accomplished before.

Union Gas

1984 - 1987

Manager, Engineering Project Analysis

- Project managed Union's interest in a large growth phase for expansion of storage and transportation activities
- Identified the potential, and managed the opening of a mothballed interconnect with a US pipeline. This resulted in significant new competitive opportunities and continued savings of gas supply costs.
- Developed the first Ontario based deregulated gas sales into the US.

**Union Gas
Operation Management Roles Manager**

1976 - 1984

- Held various management positions in Chatham, Hamilton and Halton Divisions
- Managed operating group of approximately 75 employees, including unionized staff.
- Managed pipeline, engineering and construction program.
- Successfully managed a new operating division for the company in Halton to create regionalized customer service and plant maintenance functions.

**Union Gas
Engineering Roles**

1974 - 1976

- Various design responsibilities

ACADEMIC ACHIEVEMENTS

May 1984	Masters of Business Administration, McMaster University, Hamilton
May 1974	Bachelor of Engineering (Civil), McMaster University, Hamilton



34 King St East
6th Floor
Toronto, Ontario
M5C 2X8

Invoice

Date	Invoice #
31/10/2014	2014328

Invoice To
APPrO 25 Adelaide St. East Suite 1602 Toronto, ON M5C 3A1 Attn: Karla Martinez

P.O. No.	Terms
	Net 30

Project						
EB-2014-0261						
Date	Item	Description	Hours	Rate	Amount	
12/10/2014	Pre-hear Conf-Preparation	EB-2014-0261 Union Parkway Growth Review and provide comments to client on UGL application HST on Sales	2	330.00 13.00%	660.00 85.80	
			Subtotal		\$660.00	
Make Cheque Payable to: Elenchus Research Associates Inc. Billing Inquiries: Rachel Chua 416-348-9917 x30 rchua@elenchus.ca			HST#861367431		\$85.80	
			Total		\$745.80	



34 King St East
6th Floor
Toronto, Ontario
M5C 2X8

Invoice

Date	Invoice #
30/11/2014	2014372

Invoice To
APPrO 25 Adelaide St. East Suite 1602 Toronto, ON M5C 3A1 Attn: Karla Martinez

P.O. No.	Terms
	Net 30

Project					
EB-2014-0261 Union Pkway					
Date	Item	Description	Hours	Rate	Amount
		EB-2014-0261 Union Parkway Growth			
10/11/2014	Interrogatories - Preparati...	Review application	2	330.00	660.00
24/11/2014	Interrogatories - Preparati...	Develop IRs	1.5	330.00	495.00
25/11/2014	Interrogatories - Preparati...	Develop IRs	2	330.00	660.00
26/11/2014	Interrogatories - Preparati...	Develop IRs	5	330.00	1,650.00
27/11/2014	Interrogatories - Preparati...	Develop IRs	0.75	330.00	247.50
		Subtotal			3,712.50
		HST on Sales		13.00%	482.63
			Subtotal		\$3,712.50
Make Cheque Payable to: Elenchus Research Associates Inc. Billing Inquiries: Rachel Chua 416-348-9917 x30 rchua@elenchus.ca			HST#861367431		\$482.63
			Total		\$4,195.13



34 King St East
6th Floor
Toronto, Ontario
M5C 2X8

Invoice

Date	Invoice #
31/01/2015	2015030

Invoice To
APPrO 25 Adelaide St. East Suite 1602 Toronto, ON M5C 3A1 Attn: Karla Martinez

P.O. No.	Terms
	Net 30

Project						
EB-2014-0261 UGL Pkwy Growth						
Date	Item	Description	Hours	Rate	Amount	
06/01/2015	Interrogatories - Responses	Review IRs	0.5	330.00	165.00	
07/01/2015	Interrogatories - Responses	Review IRs	2	330.00	660.00	
09/01/2015	Interrogatories - Responses	Review IRs	2.25	330.00	742.50	
17/01/2015	Technical Conf-Preparation	Review intervenor evidence & correspondence	1.25	330.00	412.50	
		HST on Sales		13.00%	257.40	
			Subtotal		\$1,980.00	
Make Cheque Payable to: Elenchus Research Associates Inc. Billing Inquiries: Rachel Chua 416-348-9917 x30 rchua@elenchus.ca			HST#861367431		\$257.40	
			Total		\$2,237.40	



34 King St East
6th Floor
Toronto, Ontario
M5C 2X8

Invoice

Date	Invoice #
28/02/2015	2015076

Invoice To
APPrO 25 Adelaide St. East Suite 1602 Toronto, ON M5C 3A1 Attn: Karla Martinez

P.O. No.	Terms
	Net 30

Project					
EB-2014-0261 UGL Parkway Grow					
Date	Item	Description	Hours	Rate	Amount
		EB-2014-0261 Union Parkway Growth			
01/02/2015	Interrogatories - Responses	Review IR responses	1	330.00	330.00
01/02/2015	Issues Conf-Preparation	Review issues listing	0.25	330.00	82.50
08/02/2015	ADR-Settle Conf-Prep	Prep for settlement and see instructions	3.75	330.00	1,237.50
09/02/2015	ADR-Settle Conf-Prep	Settlement Conference follow up	1.5	330.00	495.00
09/02/2015	ADR-Settle Conf-Attend		5.5	330.00	1,815.00
10/02/2015	ADR-Settle Conf-Prep	Seek instructions	0.5	330.00	165.00
12/02/2015	ADR-Settle Conf-Attend	Settlement discussions	0.75	330.00	247.50
13/02/2015	ADR-Settle Conf-Prep	Settlement discussions with client and prep	0.75	330.00	247.50
		Subtotal			4,620.00
	Client Costs				
09/03/2015		Train tickets for John Wolnik London-Toronto-London Feb 9, 2015	1	168.82	168.82
09/03/2015		Cab fare for John Wolnik Feb 9, 2015	1	18.00	18.00
09/03/2015		Mileage for John Wolnik Feb 9, 2015	1	5.60	5.60
		HST on Sales		13.00%	192.42
					600.60
			Subtotal		\$4,812.42
Make Cheque Payable to: Elenchus Research Associates Inc. Billing Inquiries: Rachel Chua 416-348-9917 x30 rchua@elcnchus.ca			HST#861367431		\$600.60
			Total		\$5,413.02

ITINERARY

LONDON - TORONTO UNION STATION, Monday Feb 9, 2015

Departs: 06:25 AM Arrives: 08:35 AM Train: 82
Class: Business Plus

TORONTO UNION STATION - LONDON, Monday Feb 9, 2015

Departs: 17:30 PM Arrives: 19:55 PM Train: 75
Class: Business Plus

OEB FULL FARE ECONOMY EQUIVALENT FOR REIMBURSEMENT PURPOSES

LONDON - TORONTO UNION STATION, Monday Feb 9, 2015

Departs: 06:25 AM Arrives: 08:35 AM Train: 82
Class: Economy Plus

TORONTO UNION STATION - LONDON, Monday Feb 9, 2015

Departs: 17:30 PM Arrives: 19:55 PM Train: 75
Class: Economy Plus

FARE DETAILS

Passenger 1 (Adult) \$168.82

Fare: \$149.40 G.S.T./H.S.T.: \$19.42 P.S.T.: \$0.00 TOTAL CAD\$: \$168.82

(*) Refund/Exchange Conditions

BLUE & WHITE TAXI
1 BATHURST ST
LONDON

TERMINAL 10.1 PS472920

CSH SALE

INVO: 001005
Feb 09, 2015 18:51

AMOUNT PAID \$18.00

CHANGE DUE \$0.00

NET 15.93
HST 2.07

EB-2014-0261



34 King St East
6th Floor
Toronto, Ontario
M5C 2X8

Invoice

Date	Invoice #
31/03/2015	2015112

Invoice To
APPrO 25 Adelaide St. East Suite 1602 Toronto, ON M5C 3A1 Attn: Karla Martinez

P.O. No.	Terms
	Net 30

Project					
EB-2014-0261 UGL Pkwy Growth					
Date	Item	Description	Hours	Rate	Amount
05/03/2015	ADR-Settle Conf-Prep	EB-2014-0261 Union Parkway Growth Correspondence with counsel HST on Sales	0.25	330.00 13.00%	82.50 10.73
			Subtotal		\$82.50
Make Cheque Payable to: Elenchus Research Associates Inc. Billing Inquiries: Rachel Chua 416-348-9917 x30 rchua@elenchus.ca			HST#861367431		\$10.73
			Total		\$93.23