



Fogler, Rubinoff LLP
Lawyers

77 King Street West
Suite 3000, PO Box 95
TD Centre North Tower
Toronto, ON M5K 1G8
t: 416.864.9700 | f: 416.941.8852
foglers.com

September 8, 2015

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 153709

VIA RESS, EMAIL AND COURIER

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

Attention: Kirsten Walli
Board Secretary

Dear Ms. Walli:

Re: EB-2015-0122 - Enbridge Gas Distribution Inc., 2014 ESM Application

Please find attached BOMA's Revised Cost Claim with respect to the above captioned proceeding.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd
Encls.

cc: Colin Schuch, OEB (*via email*)
Michael Millar, OEB (*via email*)
Ian Richler, OEB (*via email*)
Andrew Mandyam, EGD (*via email*)
Lorraine Chiasson, EGD (*via email*)
David Stevens, Aird & Berlis (*via email*)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required (yellow-shaded) fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

- Required data input is indicated by yellow-shaded fields. Formulas are embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: _____ Country: _____
- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each lawyer, analyst/consultant and articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

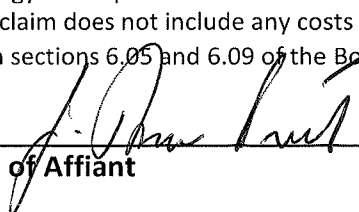
Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- <u>2015-0122</u>	Process: <u>EGD 2014 ESM Application</u>
Party: <u>BOMA</u>	Affiant's Name: <u>Tom Brett</u>
HST Number: <u>R119420859</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, Tom Brett, of the City/Town of Toronto
in the Province/State of Ontario, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 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 Sept 8/15.
(date)



Commissioner for taking Affidavits

Lea Ann Jukes, a Commissioner, etc.,
Province of Ontario, for Fogler, Rubinoff LLP,
Barristers and Solicitors.
Expires May 31, 2016

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2015-0122

Process: EGD 2014 ESM Application

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	7,755.00
Disbursements	\$	54.26
HST	\$	1,015.20
Total Cost Claim	\$	8,824.46

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: Attn: Debbie Dey

77 King Street West, Suite 3000

P.O. Box 95, TD Centre North Tower

Toronto, Ontario M5K 1G8

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2015-0122</u>	Process: <u>EGD 2014 ESM Application</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	1971	35
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		

Hourly Rate:	\$330
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For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %):
<input checked="" type="checkbox"/> CV provided within previous 24 months	13.0%

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	15.50	\$ 330.00	\$ 5,115.00	\$ 664.95	\$ 5,779.95
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 5,115.00	\$ 664.95	\$ 5,779.95

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



File # EB- 2015-0122

Process: EGD 2014 ESM Application

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier	\$ 54.26	\$ 7.05	\$ 61.31
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ 54.26	\$ 7.05	\$ 61.31

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2015-0122</u>	Process: <u>EGD 2014 ESM Application</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Marion Fraser</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input type="checkbox"/>	<input style="width: 100px; height: 20px;" type="text"/>	<input style="width: 100px; height: 20px;" type="text" value="35"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input checked="" type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <input style="width: 100px; height: 20px;" type="text" value="\$330"/>
<input checked="" type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <input style="width: 100px; height: 20px;" type="text" value="13.0%"/>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	4.00	\$ 330.00	\$ 1,320.00	\$ 171.60	\$ 1,491.60
Attendance	4.00	\$ 330.00	\$ 1,320.00	\$ 171.60	\$ 1,491.60
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 2,640.00	\$ 343.20	\$ 2,983.20

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



File # EB- 2015-0122

Process: EGD 2014 ESM Application

Party: BOMA

Service Provider Name: Marion Fraser

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier			\$ -
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:			
	\$ -	\$ -	\$ -

Prebill # 821395 Session: 460857 Bill to: 08/Sep/15

Client: F1588
Fraser & Company

CLIENT LAWYER: Brett, Thomas
MATTER_LAWYER: Brett, Thomas
LAWYER ON BILL: **Brett, Thomas**
LAST BILL DATE: NONE

Matter: 153709
BOMA – Enbridge Gas
Distribution Inc., 2014 ESM
Application; Board File No. EB-
2015-0122

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS
Fraser & Company
33 Harbour Square, Suite 502
Toronto, ON
M5J 2G2
Canada
Attn: Marion Fraser

Page 1

PAYOR: F1588 MAIN
BILL: F1588 MAIN

ACCOUNT APPROVAL

Thomas Brett

☐ FINAL BILL: MATTER WILL BE MADE INACTIVE

UNBILLED TIME

<u>LAST ENTRY</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>	<u>FEE CREDIT ALLOCATION</u>	<u>CODE</u>	<u>INIT</u>
13/Jul/15	Thomas Brett	15.50	5,115.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		15.50	5,115.00	<input type="checkbox"/> WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

UNBILLED DISBURSEMENTS

<u>LAST ENTRY</u>	<u>CODE</u>	<u>DISB. TYPE</u>	<u>GST</u>	<u>AMOUNT</u>	<u>UNBILLED W/O</u>	<u>ANTICIPATED</u>	<u>TOTAL THIS BILL</u>
26/Aug/15	7	Courier & Delivery	Y	54.26			
TOTAL UNBILLED DISB				54.26	<input type="checkbox"/> WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: F1588/**153709**
 Fraser & Company
 BOMA – Enbridge Gas Distribution Inc.,
 2014 ESM Application; Board File No.
 EB-2015-0122
 Prebill No.: 821395
 Session ID: 460857

LAST BILL DATE: NONE
 LAST BILLED TO DATE: NONE
 FILE LAWYER: Brett, Thomas
 ASSIGNED LAWYER: Brett, Thomas

BILL ADDRESS
 Fraser & Company
 33 Harbour Square, Suite 502
 Toronto, ON M5J 2G2
 CANADA

PAYOR DEFAULT ADDRESS
 33 Harbour Square, Suite 502
 Toronto, ON
 M5J 2G2
 Fraser, Marion

DETAIL OF UNBILLED TIME

DATE	TIME ID	TIMEKEEPER	HOURS	RATE	AMOUNT	DESCRIPTION
03/Jun/15	2616262	415 TB	0.30	330.00	99.00	Reviewing Application
15/Jun/15	2622406	415 TB	1.20	330.00	396.00	Reviewing evidence
15/Jun/15	2622407	415 TB	0.90	330.00	297.00	Reviewing evidence
09/Jul/15	2631544	415 TB	6.00	330.00	1,980.00	Reviewing evidence; Preparing IRs
10/Jul/15	2631546	415 TB	4.20	330.00	1,386.00	Preparation of IRs
11/Jul/15	2631551	415 TB	2.00	330.00	660.00	Preparation of IRs
13/Jul/15	2631858	415 TB	0.90	330.00	297.00	Reviewing and completing IRs
		TOTAL TIME	15.50		5,115.00	

DETAIL OF UNBILLED DISBURSEMENTS

DATE	DISB ID	CODE	QUAN	AMOUNT	DESCRIPTION
04/Jun/15	6202249	7 Courier & Delivery		11.99	12:06 TB Courier: Blizzard# 7313686 Ontario Energy Board-2300 Yonge St-Fatima
10/Jul/15	6243339	7 Courier & Delivery		11.99	16:07 TB Courier: Blizzard# 7327502 Ontario Energy Board-2300 Yonge St-Melanie
14/Jul/15	6243359	7 Courier & Delivery		15.14	08:07 tb Courier: Blizzard# 7328096 ontario energy-2300 Yonge St-fatima
26/Aug/15	6315719	7 Courier & Delivery		15.14	09:08 TB Courier: Blizzard# 7343475 ONTARIO ENERGY-2300 Yonge St-fatima
		TOTAL DISB		54.26	

Filters

Client	Disb Code 7	Session
Matter 153709	Office	Tran Type
Tkpr	Dept	Prebill #
Disb ID	Prof Ctr	Bill #
Date	Period	Bill Date
		Project

Disbursement Details

Base Amt	\$49.28	Tobill Amt	\$54.26	Billed Amt
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Date	T	C	Matter	atn	C	ht	ht	Tobill Amt	Narrative	Projec
6/4/2015			153709	\$11.99	12:06 TB Courier: Blizzard# 7313686 Ontario Energy Board-2300 Yonge St-Fatima	
7/10/2015			153709	.	.	.	.	\$11.99	16:07 TB Courier: Blizzard# 7327502 Ontario Energy Board-2300 Yonge St-Melanie	
7/14/2015			153709	.	.	.	.	\$15.14	08:07 tb Courier: Blizzard# 7328096 ontario energy-2300 Yonge St-fatima	
8/26/2015			153709	.	.	.	.	\$15.14	09:08 TB Courier: Blizzard# 7343475 ONTARIO ENERGY-2300 Yonge St-fatima	

MARION FRASER DOCKET

Board File Number			EB-2015-0122			Party Name			BOMA		
						Fraser & Company					
Date	Explanation	Consultant	Preparation	Attendance TC	Attendance SC	Attendance OH	Argument	Total			
26-Jul-15	Review Evidence and IRRs	MEF	4					4			
27-Jul-15	Attend Settlement Conference				4			4			
Total			4	0	4	0	0	8			