



Fogler, Rubinoff LLP  
Lawyers

77 King Street West  
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September 9, 2015

Reply To: Thomas Brett  
Direct Dial: 416.941.8861  
E-mail: tbrett@foglers.com  
Our File No. 145034

**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-2014-0189: OEB Initiative to Develop Electricity Distribution System Reliability  
Performance Targets**

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

Yours truly,

**FOGLER, RUBINOFF LLP**

Thomas Brett

TB/dd

Encls.

cc: All Parties (*via email*)

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board Notice of Hearing for Cost Awards. Please ensure all required fields are filled in and the Affidavit portion is signed and sworn or affirmed.

**Instructions**

- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

<b>File # EB-</b> <u>2014-0189</u>	<b>Process:</b> <u>Distribution System Reliability Performance</u>
<b>Party:</b> <u>BOMA</u>	<b>Affiant's Name:</b> <u>Tom Brett</u>
<b>HST Number:</b> <u>R119420859</u>	<b>HST Rate Ontario:</b> <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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

  
\_\_\_\_\_  
**Signature of Affiant**

**Sworn or affirmed before me** at the City/Town of Toronto,  
in the Province/State of Ontario, on Sept 4/15  
(date)

  
\_\_\_\_\_  
**Commissioner for taking Affidavits**

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



File # EB- 2014-0189 Process: Distribution System Reliability Performance

Party: BOMA

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$99.00
Disbursements	\$10.00
HST	\$14.17
<b>Total Cost Claim</b>	<b>\$123.17</b>

**Payment Information**

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: Attn: Debbie Dey

77 King Street West, Suite 3000

PO Box 95, TD Centre North Tower

Toronto, ON M5K 1G8

**Detail of Fees and Disbursements Being Claimed**

**Statement of Fees Being Claimed**

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

**Statement(s) of Disbursements Being Claimed**

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

# Ontario Energy Board

## COST CLAIM FOR CONSULTATIONS

### Affidavit and Summary of Fees and Disbursements



#### Individual Whose Costs are Being Claimed

Name: Tom Brett

Counsel/Articling Student/Paralegal: ☒

Analyst/Consultant: ☐

CV attached: ☐

Year Called  
to Bar

1971

CV not required: ☒

Completed Years  
Practicing/Years of Relevant  
Experience

35

Name: \_\_\_\_\_

Counsel/Articling Student/Paralegal: ☐

Analyst/Consultant: ☐

CV attached: ☐

Year Called  
to Bar

CV not required: ☐

Completed Years  
Practicing/Years of relevant  
experience

Name: \_\_\_\_\_

Counsel/Articling Student/Paralegal: ☐

Analyst/Consultant: ☐

CV attached: ☐

Year Called  
to Bar

CV not required: ☐

Completed Years  
Practicing/Years of relevant  
experience

Name: \_\_\_\_\_

Counsel/Articling Student/Paralegal: ☐

Analyst/Consultant: ☐

CV attached: ☐

Year Called  
to Bar

CV not required: ☐

Completed Years  
Practicing/Years of relevant  
experience

Name: \_\_\_\_\_

Counsel/Articling Student/Paralegal: ☐

Analyst/Consultant: ☐

CV attached: ☐

Year Called  
to Bar

CV not required: ☐

Completed Years  
Practicing/Years of relevant  
experience



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

File # EB- 2014-0189

Process Distribution System Reliability Performance

Party BOMA

HST Rate: 13%

Individual Whose Fees are Being Claimed	Hourly rate	Written comments on discussion paper (hours)			Subtotal	HST	Total
		Eligible Participant	Up to 14 hours	Up to xx hours			
Tom Brett	\$330.00		0.30		\$99.00	\$12.87	\$111.87
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00

Totals:

\$99.00 \$12.87  
Total legal/consultant fees: \$111.87

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



<b>File # EB-</b> <u>2014-0189</u>	<b>Process:</b> <u>Distribution System Reliability Performance</u>
<b>Party:</b> <u>BOMA</u>	

**Name of individual whose disbursements are being claimed:** Tom Brett

<b>HST Rate Ontario: 13.00%</b>
---------------------------------

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier	\$10.00	\$1.30	\$11.30
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>	<b>\$10.00</b>	<b>\$1.30</b>	<b>\$11.30</b>

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



<b>File # EB-</b>	<b>2014-0189</b>	<b>Process:</b>	Distribution System Reliability Performance
<b>Party:</b>	BOMA		

Name of individual whose disbursements are being claimed: \_\_\_\_\_

<b>HST Rate Ontario: 13.00%</b>
---------------------------------

		Net Cost	HST	Total
Scanning/Photocopy			\$0.00	\$0.00
Printing			\$0.00	\$0.00
Courier			\$0.00	\$0.00
Telephone/Fax			\$0.00	\$0.00
Transcripts			\$0.00	\$0.00
Travel: Air			\$0.00	\$0.00
Travel: Car			\$0.00	\$0.00
Travel: Rail			\$0.00	\$0.00
Travel (Other):			\$0.00	\$0.00
Parking			\$0.00	\$0.00
Taxi			\$0.00	\$0.00
Accommodation			\$0.00	\$0.00
Meals			\$0.00	\$0.00
Other:			\$0.00	\$0.00
Other:			\$0.00	\$0.00
Other:			\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>		\$0.00	\$0.00	\$0.00

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



<b>File # EB-</b>	<b>2014-0189</b>	<b>Process:</b>	Distribution System Reliability Performance
<b>Party:</b>	BOMA		

Name of individual whose disbursements are being claimed: \_\_\_\_\_

<b>HST Rate Ontario: 13.00%</b>
---------------------------------

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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



<b>File # EB-</b>	<b>2014-0189</b>	<b>Process:</b>	Distribution System Reliability Performance
<b>Party:</b>	BOMA		

Name of individual whose disbursements are being claimed: \_\_\_\_\_

<b>HST Rate Ontario: 13.00%</b>
---------------------------------

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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



<b>File # EB-</b>	<b>2014-0189</b>	<b>Process:</b>	Distribution System Reliability Performance
<b>Party:</b>	BOMA		

Name of individual whose disbursements are being claimed: \_\_\_\_\_

<b>HST Rate Ontario: 13.00%</b>
---------------------------------

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>	\$0.00	\$0.00	<b>\$0.00</b>

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Prebill # 821244 Session: 460732 Bill to: 03/Sep/15

Client: F1588

Fraser & Company

Matter: 145034

BOMA - OEB Initiative to Develop  
Electricity Distribution System  
Reliability Performance Targets;

CLIENT LAWYER: Brett, Thomas

MATTER\_LAWYER: Brett, Thomas

LAWYER ON BILL: Brett, Thomas

LAST BILL DATE: NONE

**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>
25/Jul/14	Thomas Brett	0.30	99.00	[ ] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		0.30	99.00	[ ] 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>
28/Jul/14	7	Courier & Delivery	Y	10.00			
TOTAL UNBILLED DISB				10.00	[ ] WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: F1588/**145034**  
Fraser & Company  
BOMA - OEB Initiative to Develop  
Electricity Distribution System Reliability  
Performance Targets;  
Prebill No.: 821244  
Session ID: 460732

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

<u>DATE</u>	<u>TIME ID</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
25/Jul/14	2450500	415 TB	0.30	330.00	99.00	Preparation of intervention letter
		TOTAL TIME	0.30		99.00	

## DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
28/Jul/14	5780478	7		10.00	08:07 tb Courier: Blizzard# 7197739 ontario energy board- 2300 Yonge St-chaneli
		TOTAL DISB		10.00	

Filters

Client	Disb Code 7	Session
Matter 145034	Office	Tran Type
Tkpr	Dept	Prebill #
Disb ID	Prof Ctr	Bill #
Date	Period	Bill Date
		Project

Disbursement Details

Base Amt	\$9.08	Tobill Amt	\$10.00	Billed Amt
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Date	T	T	C	Matter	atm	C	nt	nt	Tobill Amt	Narrative	Pro
7/28/2014				145034	.	.	.	.	\$10.00	08:07 tb Courier: Blizzard# 7197739 ontario energy board-2300 Yonge St-chaneli	