



Fogler, Rubinoff LLP  
Lawyers

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October 26, 2015

Reply To: Thomas Brett  
Direct Dial: 416.941.8861  
E-mail: tbrett@foglers.com  
Our File No. 145230

**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: Board File No. EB-2014-0158**

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

Yours truly,

**FOGLER, RUBINOFF LLP**

A handwritten signature in black ink that reads "Tom Brett per: [initials]".

Thomas Brett  
TB/dd

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**

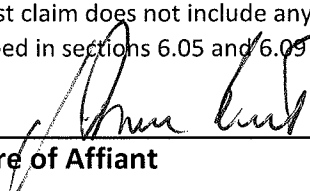
- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "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 Curriculum Vitae (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>2014-0158</u>	<b>Process:</b> <u>ECPA Review Consultation</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 Oct. 20/15  
(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 CONSULTATIONS**  
**Affidavit and Summary of Fees and Disbursements**



File # EB- 2014-0158 Process: ECPA Review Consultation

Party: BOMA

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$8,415.00
Disbursements	\$21.99
HST	\$1,096.81
<b>Total Cost Claim</b>	<b>\$9,533.80</b>

**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: ☒

Consultant: ☐

CV attached: ☐

Completed Years  
Practicing/Years of relevant  
experience

35

CV not required: ☒

Name: Marion Fraser

Counsel/Articling Student/Paralegal: ☐

Consultant: ☒

CV attached: ☐

Completed Years  
Practicing/Years of relevant  
experience

35

CV not required: ☒

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

Counsel/Articling Student/Paralegal: ☐

Consultant: ☐

CV attached: ☐

Completed Years  
Practicing/Years of relevant  
experience

CV not required: ☐

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

Counsel/Articling Student/Paralegal: ☐

Consultant: ☐

CV attached: ☐

Completed Years  
Practicing/Years of relevant  
experience

CV not required: ☐

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

Counsel/Articling Student/Paralegal: ☐

Consultant: ☐

CV attached: ☐

Completed Years  
Practicing/Years of relevant  
experience

CV not required: ☐



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

File # EB- 2014-0158

Process ECPA Review Consultation

Party BOMA

HST Rate: R119420859

Individual Whose Fees are Being Claimed	Hourly rate	Written Comments on Stakeholder Forum Issues	Stakeholder Forum (preparation, attendance & reporting)	Supplementary Written Comments on Stakeholder Consultation Issues	Subtotal	HST	Total
		Up to 25 Hours	Up to 9 Hours (6 hours for attendance & 3 hours for preparation & reporting)	Up to 40 Hours			
Tom Brett	\$330.00	0.50			\$165.00	\$21.45	\$186.45
Marion Fraser	\$330.00		25.00		\$8,250.00	\$1,072.50	\$9,322.50
					\$0.00	#VALUE!	#VALUE!
					\$0.00	#VALUE!	#VALUE!
					\$0.00	#VALUE!	#VALUE!
Totals:					\$8,415.00	\$1,093.95	\$9,508.95
Total legal/consultant fees:							\$9,508.95

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



<b>File # EB-</b>	<u>2014-0158</u>	<b>Process:</b>	<u>ECPA Review Consultation</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
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier	\$21.99	\$2.86	\$24.85
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
<b>TOTAL DISBURSEMENTS:</b>			
	\$21.99	\$2.86	<b>\$24.85</b>

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



File # EB- <u>2014-0158</u>	Process: <u>ECPA Review Consultation</u>
Party: _____	

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

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

	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
<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>2014-0158</b>	<b>Process:</b>	<b>ECPA Review Consultation</b>
<b>Party:</b>			

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

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

		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
<b>TOTAL DISBURSEMENTS:</b>		\$0.00	\$0.00	<b>\$0.00</b>

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



File # EB- <u>2014-0158</u>	Process: <u>ECPA Review Consultation</u>
Party: _____	

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

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

	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
<b>TOTAL DISBURSEMENTS:</b>	\$0.00	\$0.00	<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>2014-0158</b>	<b>Process:</b>	<b>ECPA Review Consultation</b>
<b>Party:</b>			

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

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

		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
<b>TOTAL DISBURSEMENTS:</b>		\$0.00	\$0.00	<b>\$0.00</b>

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Prebill # 827390 Session: 464767 Bill to: 19/Oct/15

**Client: F1588**

Fraser & Company

CLIENT LAWYER: Brett, Thomas

MATTER\_LAWYER: Brett, Thomas

LAWYER ON BILL: Brett, Thomas

LAST BILL DATE: NONE

**Matter: 145230**

BOMA – OEB Consultation on the  
Effectiveness of Part II of the  
Energy Consumer Protection Act,  
2010; Board File No. EB-2014-  
0158

**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>
20/Nov/14	Thomas Brett	0.50	165.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		0.50	165.00	<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>
20/Nov/14	7	Courier & Delivery	Y	21.99			
TOTAL UNBILLED DISB				21.99	<input type="checkbox"/> WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: F1588/**145230**  
 Fraser & Company  
 BOMA – OEB Consultation on the  
 Effectiveness of Part II of the Energy  
 Consumer Protection Act, 2010; Board  
 File No. EB-2014-0158  
 Prebill No.: 827390  
 Session ID: 464767

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>
20/Nov/14	2512994	415 TB	0.50	330.00	165.00	Reviewing submission
		TOTAL TIME	0.50		165.00	

## DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
29/Jul/14	5780584	7	Courier & Delivery	10.00	09:07 TB Courier: Blizzard# 7198214 Ontario Energy Board- 2300 Yonge St-niccola
20/Nov/14	5955312	7	Courier & Delivery	11.99	15:11 tb Courier: Blizzard# 7239076 ontario energy board- 2300 Yonge St-fatima
		TOTAL DISB		21.99	

Filters

Client	Disb Code 7	Session
Matter 145230	Office	Tran Type
Tkpr	Dept	Prebill #
Disb ID	Prof Ctr	Bill #
Date	Period	Bill Date
		Project

Disbursement Details

Base Amt	\$19.97	Tobill Amt	\$21.99	Billed Amt
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Date	TT	Client	Matter	Cost Code	Tobill Amt	Narrative
7/29/2014		F1588	145230	7	\$10.00	09:07 TB Courier: Blizzard# 7198214 Ontario Energy Board-2300 Yonge St-nicola
11/20/2...		F1588	145230	7	\$11.99	15:11 tb Courier: Blizzard# 7239076 ontario energy board-2300 Yonge St-fatima

**MARION FRASER DOCKET**

EB-2014-0158 Consultation on ECPA

BOMA

Board File Number

Party Name

Fraser & Company

Date	Explanation	Consultant	Preparation	Attendance TC	Attendance SC	Attendance OH	Argument	Total
11/4/2014	Review of Materials	MEF	4					4
11/5/2014	Review of Legislation	MEF	4					4
11/10/2014	Drafting Comments on Questions	MEF	2					2
11/11/2014	Drafting Comments on Questions	MEF	2					2
12/8/2014	Attendance at Stakeholder Review	MEF	6					6
12/30/2014	Review of Final Report	MEF	2					2
1/15/2015	Drafting Comments on Issues	MEF	5					5
Total			25	0	0	0	0	25