



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

December 14, 2015

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 155396

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-2015-0114: Enbridge Gas Distribution Inc., 2016 Rate Adjustment Application
BOMA's Cost Claim**

In accordance with the Board's Decision and Interim Rate Order, please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

A handwritten signature in dark ink, appearing to read "Thomas Brett", written over a light blue horizontal line.

Thomas Brett

TB/dd

Encls.

cc: All Parties (*by 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.

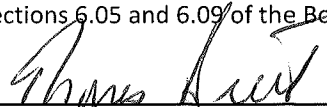
Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- <u>2015-0114</u>	Process: <u>EGD 2016 Rate 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

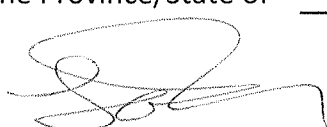
I, Tom Brett, of the City/Town of Toronto
in the Province/State of Ontario, swear or affirm that:

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 Dec. 14/15,
(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- 2015-0114

Process: EGD 2016 Rate Application

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	10,164.00
Disbursements	\$	11.99
HST	\$	1,322.88
Total Cost Claim	\$	11,498.87

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, ON M5K 1G8

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2015-0114</u>	Process: <u>EGD 2016 Rate 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"/>		

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

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	14.00	\$ 330.00	\$ 4,620.00	\$ 600.60	\$ 5,220.60
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	5.80	\$ 330.00	\$ 1,914.00	\$ 248.82	\$ 2,162.82
Attendance	8.00	\$ 330.00	\$ 2,640.00	\$ 343.20	\$ 2,983.20
Proposal Preparation	3.00	\$ 330.00	\$ 990.00	\$ 128.70	\$ 1,118.70
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			\$ 10,164.00	\$ 1,321.32	\$ 11,485.32

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



File # EB- 2015-0114

Process: EGD 2016 Rate Application

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier	\$ 11.99	\$ 1.56	\$ 13.55
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ 11.99	\$ 1.56	\$ 13.55

Prebill # 836718 Session: 470691 Bill to: 11/Dec/15

Client: F1588
Fraser & Company

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

Matter: 155396
BOMA – Enbridge Gas
Distribution Inc., 2016 Rate
Adjustment Application; Board
File No. EB-2015-0114

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>
30/Nov/15	Thomas Brett	30.80	10,164.00	[] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		30.80	10,164.00	[] 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>
10/Sep/15	7	Courier & Delivery	Y	11.99			
TOTAL UNBILLED DISB				11.99	[] WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

FOGLER, RUBINOFF
BILLING STATEMENT TO 11/Dec/15

Payor/Matter: F1588/**155396**
 Fraser & Company
 BOMA – Enbridge Gas Distribution Inc.,
 2016 Rate Adjustment Application; Board
 File No. EB-2015-0114
 Prebill No.: 836718
 Session ID: 470691

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/Oct/15	2686449	415 TB	6.30	330.00	2,079.00	Reviewing evidence; Preparing IRs
26/Oct/15	2686451	415 TB	6.20	330.00	2,046.00	Reviewing evidence; Preparing IRs
27/Oct/15	2686452	415 TB	1.50	330.00	495.00	Finalizing IRs
03/Nov/15	2690456	415 TB	0.30	330.00	99.00	Telephone discussion with Dennis O'Leary
17/Nov/15	2701967	415 TB	4.00	330.00	1,320.00	Reviewing evidence; Preparing for Settlement Conference
18/Nov/15	2701970	415 TB	1.50	330.00	495.00	Reviewing material; Preparing for Settlement Conference
18/Nov/15	2701971	415 TB	6.00	330.00	1,980.00	Attending Settlement Conference
19/Nov/15	2701974	415 TB	2.00	330.00	660.00	Attending Settlement Conference
27/Nov/15	2705332	415 TB	1.00	330.00	330.00	Reviewing and approving Settlement Agreement
30/Nov/15	2706623	415 TB	2.00	330.00	660.00	Reviewing DRO and DAO
TOTAL TIME			30.80		10,164.00	

DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
10/Sep/15	6329380	7		11.99	15:09 TB Courier: Blizzard# 7349201 Ontario Energy Board-2300 Yonge St-ennifer Seymour/Jennifer Seymour
TOTAL DISB				11.99	

Filters

Client	Disb Code 7	Session
Matter 155396	Office	Tran Type
Tkpr	Dept	Prebill #
Disb ID	Prof Ctr	Bill #
Date	Period	Bill Date
		Project

Disbursement Details

Base Amt	\$10.89	Tobill Amt	\$11.99	Billed Amt
----------	---------	------------	---------	------------

Disb ID	Date	T	C	Matter	at m	Cost Code	/	at m	Tobill Amt	Narrative	P
6329...	9/10/2015			155396	.	7	.		\$11.99	15:09 TB Courier: Blizzard# 7349201 Ontario Energy Board-2300 Yonge St-ennifer Seymour/Jennifer Seymour	