



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

February 2, 2016

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 155564

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-2015-0116: Union Gas Limited, 2016 Rate Adjustment Application
BOMA Cost Claim**

Please find enclosed BOMA's Cost Claim. We apologize for the oversight.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett

TB/dd

cc: Khalil Viraney, OEB (*by email*)
Chris Ripley, Union Gas (*by email*)
Crawford Smith, Torys (*by email*)
Marion Fraser, Fraser & Company (*by email*)
Bala Gnanam, BOMA (*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>2015-0116</u>	Process: <u>Union Gas 2016 Rates</u>
Party: <u>BOMA</u>	Affiant's Name: <u>Debbie Dey on behalf of 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

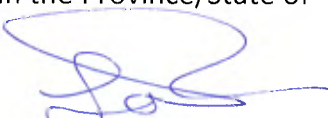
I, Debbie Dey on behalf of Tom Brett, of the City/Town of Toronto
in the Province/State of Ontario, swear or affirm that:

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 Feb. 2, 2016,
(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- 2015-0116

Process: Union Gas 2016 Rates

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	8,910.00
Disbursements	\$	11.99
HST	\$	1,159.86
Total Cost Claim	\$	10,081.85

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>2015-0116</u>	Process: <u>Union Gas 2016 Rates</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p>SERVICE PROVIDER TYPE (check one)</p> <p>Legal Counsel <input checked="" type="checkbox"/></p> <p>Articling Student/Paralegal <input type="checkbox"/></p> <p>Consultant <input type="checkbox"/></p> <p>Analyst <input type="checkbox"/></p> </div> <div style="width: 20%;"> <p>Year Called to Bar</p> <p style="border: 1px solid black; text-align: center;">1971</p> </div> <div style="width: 30%;"> <p>Completed Years Practising/Years of Relevant Experience</p> <p style="border: 1px solid black; text-align: center;">35</p> </div> </div>	
<p>For Consultant/Analyst: <input type="checkbox"/> CV attached HST Rate Charged (enter %): 13.0%</p> <p><input checked="" type="checkbox"/> CV provided within previous 24 months</p>	

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	8.50	\$ 330.00	\$ 2,805.00	\$ 364.65	\$ 3,169.65
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	11.00	\$ 330.00	\$ 3,630.00	\$ 471.90	\$ 4,101.90
Attendance	7.50	\$ 330.00	\$ 2,475.00	\$ 321.75	\$ 2,796.75
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			\$ 8,910.00	\$ 1,158.30	\$ 10,068.30

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



File # EB- 2015-0116

Process: Union Gas 2016 Rates

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 # 839263 Session: 472375 Bill to: 31/Dec/15

Client: F1588
Fraser & Company

Matter: 155564

BOMA – Union Gas Limited, 2016
Rates Application; Board File No.
EB-2015-0116

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

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS
Union Gas Limited
50 Keil Drive North
Chatham, ON
N7M 5M1
Canada
Attn: Chris Ripley

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PAYOR: U0267 MT04
BILL: U0267 MT04

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>
				[] AS DOCKETED		
24/Nov/15	Thomas Brett	27.00	8,910.00		415	TB
	TOTAL UNBILLED FEES	27.00	8,910.00	[] 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>
27/Oct/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

Payor/Matter: U0267/**155564**
 Union Gas Limited
 BOMA – Union Gas Limited, 2016 Rates
 Application; Board File No. EB-2015-
 0116
 Prebill No.: 839263
 Session ID: 472375

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

BILL ADDRESS
 Union Gas Limited
 50 Keil Drive North
 Chatham, ON N7M 5M1
 CANADA

PAYOR DEFAULT ADDRESS
 50 Keil Drive North
 Chatham, ON
 N7M 5M1
 Ripley, Chris

DETAIL OF UNBILLED TIME

DATE	TIME ID	TIMEKEEPER	HOURS	RATE	AMOUNT	DESCRIPTION
24/Oct/15	2686448	415 TB	4.00	330.00	1,320.00	Reviewing evidence; Preparing IRs
27/Oct/15	2686453	415 TB	4.50	330.00	1,485.00	Reviewing evidence; Preparing and finalizing IRs
28/Oct/15	2688322	415 TB	1.50	330.00	495.00	Reviewing evidence
08/Nov/15	2696272	415 TB	5.00	330.00	1,650.00	Reviewing evidence and IRs
10/Nov/15	2696276	415 TB	1.50	330.00	495.00	Reviewing evidence and IRs
11/Nov/15	2696279	415 TB	3.00	330.00	990.00	Attending Settlement Conference
11/Nov/15	2696281	415 TB	2.00	330.00	660.00	Reviewing evidence and IRs
11/Nov/15	2696282	415 TB	4.50	330.00	1,485.00	Attending Settlement Conference
24/Nov/15	2705317	415 TB	1.00	330.00	330.00	Reviewing Settlement Agreement
TOTAL TIME			27.00		8,910.00	

DETAIL OF UNBILLED DISBURSEMENTS

DATE	DISB ID	CODE	QUAN	AMOUNT	DESCRIPTION
27/Oct/15	6394189	7		11.99	16:10 TB Courier: Blizzard# 7367103 Ontario Energy Board- 2300 Yonge St-melanie
TOTAL DISB				11.99	

Filters

Client	Disb Code 7	Session
Matter 155564	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
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Date	T	Client	Matter	at m	Cost Code	/	Unit	Tobill Amt	Narrative
10/27/2...		F1588	155564	.	7	.		\$11.99	16:10 TB Courier; Blizzard# 7367103 Ontario Energy Baord-2300 Yonge St-melanie