



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

April 12, 2016

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 161234

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-2015-0367 - BOMA's Cost Claim

Pursuant to Decision and Accounting Order dated April 7, 2016, please find enclosed BOMA's Cost Claim

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd
Encls.

cc: Lawrie Gluck, OEB (via email)
Michael Millar, OEB (via email)
Vanessa Innis, Union Gas (via email)
Crawford Smith, Torys (via email)
Marion Fraser, Fraser & company (via email)
Bala Gnanam, BOMA (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- 2015-0367 Process: Union Gas GHG Emissions Impact Deferral Account
Party: BOMA Affiant's Name: Tom Brett
HST Number: R119420859 HST Rate Ontario: 13.00%
Full Registrant [checked]
Unregistered []
Other []
Qualifying Non-Profit []
Tax Exempt []

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.

Handwritten signature of Tom Brett

Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto, in the Province/State of Ontario, on Apr. 12/16 (date)

Handwritten signature of Commissioner

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- 2015-0367 Process: Union Gas GHG Emissions Impact Deferral Account

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	1,914.00
Disbursements	\$	11.99
HST	\$	250.38
Total Cost Claim	\$	2,176.37

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: Attention: 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>2015-0367</u>	Process: <u>Union Gas GHG Emissions Impact Deferral Account</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"/>	<input type="text" value="1971"/>	<input type="text" value="35"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: <input type="text" value="\$330"/>
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <input type="text" value="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		\$ 330.00	\$ -	\$ -	\$ -
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	5.80	\$ 330.00	\$ 1,914.00	\$ 248.82	\$ 2,162.82
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 1,914.00	\$ 248.82	\$ 2,162.82

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2015-0367

Process: Union Gas GHG Emissions Impact Deferral Account

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 # 853230 Session: 481329 Bill to: 11/Apr/16

FOGLER, RUBINOFF LLP

Client: F1588
Fraser & Company

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

PAYOR NAME & ADDRESS
Fraser & Company
1005 - 65 Harbour Square
Toronto, ON
M5J 2L4
Canada
Attn: Marion Fraser

PAYOR: F1588 MAIN
BILL: F1588 MAIN

Matter: 161234
BOMA – Union Gas Limited,
Request for Greenhouse Gas
Emissions Impact Deferral
Account; Board File No. EB-2015-
0367

ACCOUNT APPROVAL

Thomas Brett

FINAL BILL: MATTER WILL BE MADE INACTIVE

UNBILLED TIME

LAST ENTRY	TIMEKEEPER	HOURS	AMOUNT	FEE CREDIT ALLOCATION	CODE	INIT
14/Mar/16	Thomas Brett	5.80	1,914.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		5.80	1,914.00	<input type="checkbox"/> WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

UNBILLED DISBURSEMENTS

LAST ENTRY	CODE	DISB. TYPE	GST	AMOUNT	UNBILLED W/O	ANTICIPATED	TOTAL THIS BILL
03/Mar/16	7	Courier & Delivery	Y	11.99			
TOTAL UNBILLED DISB				11.99	<input type="checkbox"/> WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: F1588/**161234**
 Fraser & Company
 BOMA – Union Gas Limited, Request for
 Greenhouse Gas Emissions Impact
 Deferral Account; Board File No. EB-
 2015-0367
 Prebill No.: 853230
 Session ID: 481329

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

BILL ADDRESS
 Fraser & Company
 1005 - 65 Harbour Square
 Toronto, ON M5J 2L4
 CANADA

PAYOR DEFAULT ADDRESS
 1005 - 65 Harbour Square
 Toronto, ON
 M5J 2L4
 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>
08/Feb/16	2740963	415	TB	1.50	330.00	495.00	Reviewing evidence
16/Feb/16	2745402	415	TB	0.50	330.00	165.00	Reviewing evidence including related Ontario GHG Policy material
18/Feb/16	2747543	415	TB	0.50	330.00	165.00	Reviewing evidence and GHG policy
03/Mar/16	2755803	415	TB	3.00	330.00	990.00	Reviewing evidence, including Ontario Bill 172 and draft Regulations
14/Mar/16	2763831	415	TB	0.30	330.00	99.00	Reviewing Submission
TOTAL TIME				5.80		1,914.00	

DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>		<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
03/Mar/16	6575881	7	Courier & Delivery		11.99	14:03 TB Courier: Blizzard# 7417433 ontario energy board-2300 Yonge St-Fatima
TOTAL DISB					11.99	

Filters

Client	Disb Code 7	Session
Matter 161234	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
----------	---------	------------	---------	------------

Date	Client	Matter	Cost Code	Tobill Amt	Narrative
3/3/2016	F1588	161234	7	\$11.99	14:03 TB Courier: Blizzard# 7417433 ontario energy board-2300 Yonge St-Fatima