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May 31, 2016

Reply To: Thomas Brett  
Direct Dial: 416.941.8861  
E-mail: tbrett@foglers.com  
Our File No. 157283

**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-2015-0267: Enbridge Gas Distribution Inc., 2014 Demand Side Management  
Clearance of Accounts**

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Please find enclosed BOMA's Cost Claim.

Yours truly,

**FOGLER, RUBINOFF LLP**

Thomas Brett  
TB/dd  
Encls.

cc: Vince Mazzone, OEB (*via email*)  
Michael Millar, OEB (*via email*)  
Stephanie Allman, EGD (*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- <u>2015-0267</u>	Process: <u>EGD 2014 DSM Variances</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 May 31/16.  
(date)

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

49805E

Ontario Energy Board  
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2015-0267 Process: EGD 2014 DSM Variances

Party: BOMA

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	2,392.50
Disbursements	\$	11.99
HST	\$	312.58
<b>Total Cost Claim</b>	<b>\$</b>	<b>2,717.07</b>

**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>2015-0267</u>	Process: <u>EGD 2014 DSM Variances</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1971"/>
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
Completed Years Practising/Years of Relevant Experience	<input type="text" value="35"/>
Hourly Rate:	<input type="text" value="\$330"/>
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
<b>Pre-hearing Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	1.25	\$ 330.00	\$ 412.50	\$ 53.63	\$ 466.13
Responses		\$ 330.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 412.50	\$ 53.63	\$ 466.13

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



File # EB- 2015-0267

Process: EGD 2014 DSM Variances

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:			\$ -
<b>TOTAL DISBURSEMENTS:</b>	<b>\$ 11.99</b>	<b>\$ 1.56</b>	<b>\$ 13.55</b>

# Ontario Energy Board COST CLAIM FOR HEARINGS



## Detail of Fees and Disbursements Being Claimed

File # EB- <u>2015-0267</u>	Process: <u>EGD 2014 DSM Variances</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Marion Fraser</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	Year Called to Bar
Legal Counsel <input type="checkbox"/>	<input type="text"/>
Articling Student/Paralegal <input type="checkbox"/>	<input type="text"/>
Consultant <input checked="" type="checkbox"/>	Completed Years Practising/Years of Relevant Experience: <input type="text" value="35"/>
Analyst <input type="checkbox"/>	Hourly Rate: <input type="text" value="\$330"/>
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
<b>Pre-hearing Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	6.00	\$ 330.00	\$ 1,980.00	\$ 257.40	\$ 2,237.40
Responses		\$ 330.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>					
		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 1,980.00	\$ 257.40	\$ 2,237.40

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



File # EB- 2015-0267

Process: EGD 2014 DSM Variances

Party: BOMA

Service Provider Name: Marion Fraser

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

Prebill # 861484 Session: 486422 Bill to: 27/May/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: 157283**  
BOMA -Enbridge Gas  
Distribution Inc., 2014 Demand  
Side Management, Clearance of  
Variance Accounts; Board File  
No. EB-2015-0267

ACCOUNT APPROVAL

Thomas Brett

FINAL BILL: MATTER WILL BE MADE INACTIVE

**UNBILLED TIME**

LAST ENTRY	TIMEKEEPER	HOURS	AMOUNT	FEE CREDIT ALLOCATION	CODE	INIT
22/Feb/16	Thomas Brett	1.25	412.50	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		1.25	412.50	<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
07/Jan/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/**157283**  
Fraser & Company  
BOMA –Enbridge Gas Distribution Inc.,  
2014 Demand Side Management,  
Clearance of Variance Accounts; Board  
File No. EB-2015-0267  
Prebill No.: 861484  
Session ID: 486422

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>
16/Feb/16	2745400	415 TB	1.00	330.00	330.00	Reviewing IRs and selected portion of evidence
22/Feb/16	2752574	415 TB	0.25	330.00	82.50	Reviewing and revising IRs
TOTAL TIME			1.25		412.50	

**DETAIL OF UNBILLED DISBURSEMENTS**

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>		<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
07/Jan/16	6497266	7	Courier & Delivery		11.99	10:01 TB Courier: Blizzard# 7395548 ONTARIO ENERGY-2300 Yonge St-Fatima
TOTAL DISB					11.99	

# Disburseme

**Filters**

Client	Disb Code 7	Session
Matter 157283	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	C	Matter	Cost Code	Tobill Amt	Narrative
1/7/2016			157283	7	\$11.99	10:01 TB Courier: Blizzard# 7395548 ONTARIO ENERGY-2300 Yonge St-Fatima

