

fogler
rubinoff

Fogler, Rubinoff LLP
Lawyers

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Suite 3000, PO Box 95
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October 25, 2016

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 162402

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: OEB, Consultation to Develop a Regulatory Framework for Natural Gas
Distributors' Cap and Trade Compliance Plans; Board File No. EB-2015-0363**

Please find enclosed herewith BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP



Thomas Brett
TB/dd
Encls.

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

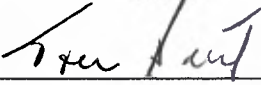
- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: _____ Country: _____
- A separate "Statement 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 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.

File # EB- <u>2015-0363</u>	Process: <u>OEB Cap and Trade Consultation</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"/> Unregistered <input type="checkbox"/> Other <input type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/> Tax Exempt <input type="checkbox"/>

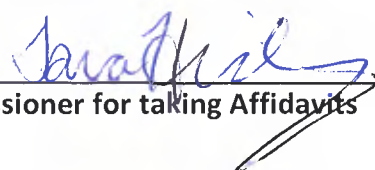
Affidavit

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. 25, 2016
(date)


Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Affidavit and Summary of Fees and Disbursements



File # EB- 2015-0363 Process: OEB Cap and Trade Consultation

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$3,498.00
Disbursements	\$11.99
HST	\$456.30
Total Cost Claim	\$3,966.29

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

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

	Year Called to Bar	Completed Years Practicing/Years of Relevant Experience
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	<input type="text" value="1971"/>	<input type="text" value="36"/>
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>	

Name: _____

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: _____

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: _____

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: _____

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

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



File # EB- 2015-0363

Process OEB Cap and Trade Consultation

Party BOMA

HST Rate: 13%

Stakeholder Meeting Preparation for, attendance at and reporting on a half-day (3 hour) stakeholder meeting	Comments Written comments on staff discussion paper
Eligible Participant	Eligible Participant

Individual Whose Fees are Being Claimed	Hourly rate	<i>Up to 6 hours</i>	<i>Up to 24 hours</i>	Subtotal	HST	Total
Tom Brett	\$330.00		10.60	\$3,498.00	\$454.74	\$3,952.74
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00

Totals: **\$3,498.00** **\$454.74**
Total legal/consultant fees: \$3,952.74

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



File # EB-	<u>2015-0363</u>	Process: <u>OEB Cap and Trade Consultation</u>
Party:	<u>BOMA</u>	

Name of individual whose disbursements are being claimed: Tom Brett

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier	\$11.99	\$1.56	\$13.55
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$11.99	\$1.56	\$13.55

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



File # EB-	<u>2015-0363</u>	Process:	<u>OEB Cap and Trade Consultation</u>
Party:	<u>BOMA</u>		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

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



File #	EB- <u>2015-0363</u>	Process:	OEB Cap and Trade Consultation
Party:	<u>BOMA</u>		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

3/

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



File # EB-	<u>2015-0363</u>	Process:	<u>OEB Cap and Trade Consultation</u>
Party:	<u>BOMA</u>		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

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



File # EB-	<u>2015-0363</u>	Process:	<u>OEB Cap and Trade Consultation</u>
Party:	<u>BOMA</u>		

Name of individual whose disbursements are being claimed: _____

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$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		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

Client: F1588
Fraser & Company

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

PAYOR NAME & ADDRESS
Ontario Energy Board
2300 Yonge Street, 27th Floor
P.O. Box 2319
Toronto, ON
M4P 1E4
Canada
Attn: Kirsten Walli

PAYOR: O5619 MAIN
BILL: O5619 MAIN

Matter: 162402
BOMA – OEB, Consultation to
Develop a Regulatory Framework
for Natural Gas Distributors' Cap
and Trade Compliance Plans;
Board File No.: EB-2015-0363

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>
08/Aug/16	Thomas Brett	10.60	3,498.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		10.60	3,498.00	<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>
15/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: O5619/162402
 Ontario Energy Board
 BOMA – OEB, Consultation to Develop a
 Regulatory Framework for Natural Gas
 Distributors' Cap and Trade Compliance
 Plans; Board File No.: EB-2015-0363
 Prebill No.: 884696
 Session ID: 502294

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

BILL ADDRESS
 Ontario Energy Board
 2300 Yonge Street, 27th Floor
 P.O. Box 2319
 Toronto, ON M4P 1E4
 CANADA

PAYOR DEFAULT ADDRESS
 2300 Yonge Street, 27th Floor
 P.O. Box 2319
 Toronto, ON
 M4P 1E4
 Walli, Kirsten

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>
04/Mar/16	2761454	415 TB	0.40	330.00	132.00	Reviewing letter; Preparing list
07/Mar/16	2761457	415 TB	1.50	330.00	495.00	Reviewing evidence
08/Mar/16	2761458	415 TB	2.50	330.00	825.00	Reviewing evidence
09/Mar/16	2761459	415 TB	4.00	330.00	1,320.00	Reviewing evidence
07/Jun/16	2807873	415 TB	0.50	330.00	165.00	Reviewing Staff Discussion Paper
08/Aug/16	2838354	415 TB	1.70	330.00	561.00	Reviewing Board Decision and submissions
TOTAL TIME			10.60		3,498.00	

DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
15/Mar/16	6595714	7		11.99	10:03 TD Courier: Blizzard# 7421765 ontario energy-2300 Yonge St-Melanie
TOTAL DISB				11.99	

22	742-1391	4	0314 14:03	Fogler Rubinoff 77 King St. West	ALERT CONSTRUCTION COMPANY 950 Lawrence Ave W (Nort)	CRD - 004707	glantte 0315 11:40	10.89	69
23	742-1424	1	0314 14:35	Fogler Rubinoff 77 King St. West	INDEPENDENT ELECTRICITY SYSTEM 120 Adelaide St W	RMH - 155180	Liane 0314 15:24	6.05	B
24	742-1428	4	0314 14:41	Fogler Rubinoff 77 King St. West	FAMOUS FUTONS 595B Trethewey Dr (Nort)	MLM - 082921	hirut 0315 11:53	10.89	69
25	742-1445	1 (nd)	0314 14:54	Fogler Rubinoff 77 King St. West	etobicoke civic centre 399 The West Mall (Etob)	JRM - 156029	Necita 0315 09:25	29.15	17
26	742-1448	1 (nd)	0314 14:56	Fogler Rubinoff 77 King St. West	toronto public health 399 The West Mall (Etob)	JRM - 156029	Rob_Binetti 0315 09:24	29.15	17
27	742-1450	4	0314 14:57	Fogler Rubinoff 77 King St. West	SCOTT M COOK 7800 Woodbine Ave (Mark)	GM - 146396	Cesil 0315 09:42	13.48	22
28	742-1451	4	0314 14:58	Fogler Rubinoff 77 King St. West	TORONTO SMALL COURT 47 Sheppard Ave E (Nort)	SS - 155865	Kim 0315 09:37	10.89	I
29	742-1454	0 Ret	0314 15:01	Fogler Rubinoff 77 King St. West	LAURENTIAN BANK OF CANADA 130 Adelaide St W	ACC - 999999	Teresa-parvin 0314 15:34	15.00	B
30	742-1456	0 Ret	0314 15:01	Fogler Rubinoff 77 King St. West	BANK OF MONTREAL 100 King St W	ACC - 999999	Mona-parvin 0314 15:35	15.00	B
31	742-1458	1 Ret	0314 15:02	Fogler Rubinoff 77 King St. West	INDUSTRY CANADA 151 Yonge St	CSZ - 132401	Barron-parvin 0314 16:32	12.10	B
32	742-1481	4	0314 15:26	Fogler Rubinoff 77 King St. West	HALTON CONDOMI CORP N0.83 2185 Marine Dr (Oakv)	DET - 055635	Eva_R 0315 13:29	18.70	17
33	742-1497	0 Ret	0314 15:44	Fogler Rubinoff 77 King St. West	TD BANK 55 King St W	ACC - 999999	Parvin 0314 16:30	15.00	B
34	742-1519	0 Ret	0314 16:05	Fogler Rubinoff 77 King St. West	ROYAL BANK 200 Bay St	GM - 152644	Majd 0314 17:09	15.00	B
35	742-1524	4	0314 16:09	Fogler Rubinoff 77 King St. West	CHAITONS 5000 Yonge St (Nort)	AM - 156409	Karl 0315 08:44	10.89	I
36	742-1555	4	0314 16:40	Fogler Rubinoff 77 King St. West	RIOCAN REAL ESATE 2300 Yonge St	SAC - 152718	charlotte 0315 12:57	10.89	X
37	742-1640	1	0315 08:25	Fogler Rubinoff 77 King St. West	GOWLING LAFLEUR HENDERSON 100 King St W	JRS - 157104	Phil 0315 08:49	6.05	B
38	742-1642	1	0315 08:26	Fogler Rubinoff 77 King St. West	AXESS LAW PROFESSIONAL CORPORA 425 University Ave	GM - 146512	raluca 0315 10:00	6.05	J
39	742-1662	3	0315 09:04	GARVEY & GARVEY LLP 972 Clarkson Rd (Miss)	Fogler Rubinoff 77 King St. West	KC - 157332	parvin 0315 14:13	25.58	93
40	742-1690	0	0315 09:31	Fogler Rubinoff 77 King St. West	duca financial service 5290 Yonge St (Nort)	RMR - 161935	michael franklin 0315 10:58	43.73	X
41	742-1716	1	0315 09:54	Fogler Rubinoff 77 King St. West	ANDREW AKMAN AND laurie edmist 110 Spadina Ave	lpb - 155478	cassie 0315 11:32	6.05	T
42	742-1747	4	0315 10:29	Fogler Rubinoff 77 King St. West	47043 ONTARIO INC 12 Nantucket Blvd (Scar)	SIR - 151561	Cliff 0316 12:46	10.89	+44
43	742-1765	4	0315 10:43	Fogler Rubinoff 77 King St. West	ontario energy 2300 Yonge St	TD - 162402	Melanie 0315 12:18	10.89	K
44	742-1782	0 Ret	0315 10:54	Fogler Rubinoff 77 King St. West	TD BANK 55 King St W	CG - 161836 Pieces: 2	Rebecca-parvin 0315 11:53	15.00	B
45	742-1791	1	0315 10:59	Fogler Rubinoff 77 King St. West	ONTARIO SUPERIOR COURT OF JUST 45 Main St E (Hami)	SMG - 122664 Extra Charge: \$15.00	Bev Terpou 0315 13:22	114.83	37