

October 28, 2016

**BY COURIER (2 COPIES) AND RESS**

**Ms. Kirsten Walli**  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, Suite 2700, P.O. Box 2319  
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: EB-2016-0363 - Consultation to Develop a Regulatory Framework for  
Natural Gas Distributors' Cap and Trade Compliance Plans**

Enclosed please find the cost claim of Environmental Defence in the above matter.

Yours truly,



Kent Elson

Encl.

KLIPPENSTEINS

**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>EB-2015-0363</u>	Process:	<u>Cap and Trade Consultations</u>
Party:	<u>Environmental Defence</u>	Affiant's Name:	<u>Kent Elson</u>
HST Number:	<u>872151923RT0001</u>	HST Rate Ontario:	<u>6.50%</u>
	Full Registrant <input type="checkbox"/>	Qualifying Non-Profit	<input checked="" type="checkbox"/>
	Unregistered <input type="checkbox"/>	Tax Exempt	<input type="checkbox"/>
	Other <input type="checkbox"/>		

**Affidavit**

I, Kent Elson, 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 27, 2016  
(date)

  
Commissioner for taking Affidavits

Kiel Ardal

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



File # **EB-2015-0363** Process: **Cap and Trade Consultations**

Party: **Environmental Defence**

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$3,161.50
Disbursements	\$29.74
HST	\$207.43
<b>Total Cost Claim</b>	<b>\$3,398.67</b>

**Payment Information**

Make cheque payable to: **Klippensteins, Barristers and Solicitors (In Trust)**

Send payment to this address: **Klippensteins, Barristers and Solicitors**  
**160 John Street, Suite 300, Toronto, Ontario**  
**M5V 2E5**

**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: Jack Gibbons

Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	Year Called to Bar	<input type="text"/>	Completed Years Practicing/Years of Relevant Experience	<u>35</u>
Analyst/Consultant:	<input checked="" type="checkbox"/>				
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>		

Name: Kent Elson

Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	Year Called to Bar	<u>2009</u>	Completed Years Practicing/Years of relevant experience	<u>7</u>
Analyst/Consultant:	<input type="checkbox"/>				
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>		

Name: \_\_\_\_\_

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

Name: \_\_\_\_\_

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

Name: \_\_\_\_\_

Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	Year Called to Bar	<input type="text"/>	Completed Years Practicing/Years of relevant experience	_____
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 Disbursements Being Claimed**



<b>File # EB-</b>	<u>EB-2015-0363</u>	<b>Process:</b>	<u>Cap and Trade Consultations</u>
<b>Party:</b>	<u>Environmental Defence</u>		

**Name of individual whose disbursements are being claimed:** Kent Elson

<b>HST Rate Ontario: 6.50%</b>
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	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier	\$29.74	\$1.93	\$31.67
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
<b>TOTAL DISBURSEMENTS:</b>			
	\$29.74	\$1.93	\$31.67



ONTARIO  
CLEAN AIR  
ALLIANCE

## INVOICE – EB-2015-0363#1

To: Environmental Defence; Attention: Kent Elson

From: Ontario Clean Air Alliance

Re: Fee for professional services of Jack Gibbons on behalf of Environmental Defence with respect to O.E.B. Docket No. EB-2015-0363 (Cap and Trade Regulatory Framework for Natural Gas Utilities) for the period March 11, 2016 to June 22, 2016 inclusive.

Date: June 23, 2016

1. Reviewing OEB letter and drafting memo to client re: participating in this proceeding	
0.33 hours x \$250/hour	\$82.50
2. Attending OEB consultation meeting	
1.25 hours x \$250/hour	\$312.50
3. Reviewing OEB Discussion Paper	
0.92 hours x \$250/hour	\$230.00
4. Drafting submission to OEB	
2.25 hours x \$250/hour	<u>\$562.50</u>
<b>Sub-Total</b>	<b>\$1,187.50</b>
HST Registration No. 85281 3997 RT0001	<u>\$154.38</u>
<b>TOTAL</b>	<b>\$1,341.88</b>

Jack Gibbons

# KLIPPENSTEINS

BARRISTERS & SOLICITORS

**Environmental Defence Canada Inc.**  
116 Spadina Ave  
Suite 300  
Toronto, ON M5V 2K6  
**RE: EB-2016-0363 Cap and Trade Consultation**

**October 24, 2016**  
File #: 2124  
Invoice #: 4013

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## *Work Completed*

<b>Date</b>	<b>Lawyer</b>	<b>Description of Work Completed</b>	<b>Time</b>
Jun-09-16	KE	Review discussion document; confer with J. Gibbons	1.60
Jun-13-16	KE	Draft comments	3.70
Jun-14-16	KE	Revise comments per J. Gibbons edits; review discussion paper covering letter re deadlines and next steps	0.05
Jun-15-16	KE	Review correspondence from client; review staff discussion paper; revise comments per client comments	0.75
Jun-22-16	KE	Revise and finalize comments	0.40
Aug-18-16	KE	Review correspondence from IGUA regarding the Board's Early Determination; draft response to the submissions of IGUA and other parties requesting that the Board reconsider its decision	1.20
Aug-19-16	KE	Draft and revise submissions responding to IGUA; review correspondence from AMPCO; draft correspondence to J. Gibbons	1.50
Aug-23-16	KE	Finalize correspondence to the Board	0.15
Aug-25-16	KE	Review correspondence from SEC	0.05



***Legal Fees Summary***

<b>Initials</b>	<b>Lawyer</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
KE	Kent Elson	9.40	\$210	\$1,974.00
<b>Total Legal Fees:</b>				<b>\$1,974.00</b>

***Disbursements***

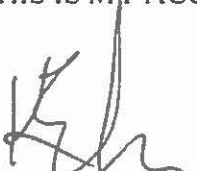
Courier expenses	\$29.74
<b>Total Disbursements:</b>	<b>\$29.74</b>

***Totals***

Legal Fees	\$1,974.00
Disbursements	\$29.74
HST on Fees and Disbursements	\$260.49
Payment From Client Trust Account Towards This Invoice	\$0.00
<b>Total Amount For This Invoice:</b>	<b>\$2,264.23</b>

Any disbursements not posted to your account on the date of this statement will be billed at a later date

THIS IS MY ACCOUNT HEREIN:

 For:  
MURRAY KLIPPENSTEIN  
E. & O. E.

Total Tax: \$260.49

HST #: 87215 1923 RT0001

\* items are HST exempt

Accounts are due when rendered. Pursuant to the Solicitor's Act, interest at the rate of 5.00% per annum may be charged on amounts unpaid thirty days after the date of this account

Services and times changing September 1st.

1642 KLIPPENSTEIN, MURRAY		Invoice: 174892
Contact: ROSIE		Reference: X1110
Pickup: KLIPPENSTEIN, MURRAY 160 JOHN ST., 3rd FLOOR TORONTO, ONT. M5V2E5	Destination: KIRSTEN WALLI BOARD SECRETARY 2700 - 2300 YONGE ST TORONTO M4P1E4	
Client Use: 2124 -ED		
Additional Information: ELEVATOR OPENS AT 9AM		
5 HOUR	\$9.21	Time Entered 3/16/2016 8:35:28 AM
Pieces 1	\$0.00	Time Received 3/16/2016 9:15:00 AM
Fuel	\$0.64	Time Dispatched 3/16/2016 9:41:10 AM
Subtotal	\$9.85	Time Picked Up 3/16/2016 9:57:58 AM
H.S.T.	\$1.28	Time Delivered 3/16/2016 2:00:29 PM
Total	\$11.13	Last Modified 3/16/2016 2:00:29 PM
Signature: Wafa		Broker: 383

Services and times changing September 1st.

1642 KLIPPENSTEIN, MURRAY		Invoice:175979
Contact:ROSIE		Reference:X1132
Pickup: KLIPPENSTEIN, MURRAY 160 JOHN ST., 3rd FLOOR TORONTO, ONT. M5V2E5	Destination: ONTARIO ENERGY BOARD 2700 - 2300 YONGE ST TORONTO M4P1E4	
Client Use: 2124		
Additional Information: ELEVATORS OPEN AT 9AM		
5 HOUR	\$9.21	Time Entered 6/23/2016 8:46:27 AM
Pieces 1	\$0.00	Time Received 6/23/2016 8:46:27 AM
Fuel	\$0.83	Time Dispatched 6/23/2016 10:31:03 AM
Subtotal	\$10.04	Time Picked Up 6/23/2016 10:54:41 AM
H.S.T.	\$1.31	Time Delivered 6/23/2016 11:39:02 AM
Total	\$11.35	Last Modified 6/23/2016 11:39:02 AM
Signature: Morgan		Broker:975

Services and times changing September 1st.

1642 KLIPPENSTEIN, MURRAY		Invoice:176564
Contact:ROSIE		Reference:X1147
Pickup: KLIPPENSTEIN, MURRAY 160 JOHN ST., 3rd FLOOR TORONTO, ONT. M5V2E5	Destination: ONTARIO ENERGY BOARD 2700 - 2300 YONGE ST TORONTO M4P1E4	
Client Use: 2124 -ED		
Additional Information: READY FOR PICK UP		
5 HOUR	\$9.21	Time Entered 8/23/2016 9:34:25 AM
Pieces l	\$0.00	Time Received 8/23/2016 9:34:25 AM
Fuel	\$0.64	Time Dispatched 8/23/2016 10:25:15 AM
Subtotal	\$9.85	Time Picked Up 8/23/2016 11:15:51 AM
H.S.T.	\$1.28	Time Delivered 8/23/2016 12:44:20 PM
Total	\$11.13	Last Modified 8/23/2016 12:44:20 PM
Signature: Fatima		Broker:985