



Fogler, Rubinoff LLP
Lawyers

77 King Street West
Suite 3000, PO Box 95
TD Centre North Tower
Toronto, ON M5K 1G8
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December 14, 2016

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 166320

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-2016-0215: Enbridge Gas Distribution Inc., 2017 Rate Adjustment Application

Pursuant to the Board's Decision and Rate Order dated December 8, 2016, please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett

TB/dd

Encls.

cc: Colin Schuch, OEB (*via email*)
Michael Millar, OEB (*via email*)
Andrew Mandyam, EGD (*via email*)
David Stevens, Aird & Berlis (*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.

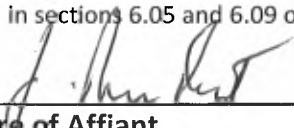
Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- <u>2016-0215</u>	Process: <u>EGD 2017 Rates</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 ☒	Qualifying Non-Profit ☐
Unregistered ☐	Tax Exempt ☐
Other ☐	

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 December 14/16.
(date)



Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2016-0215 Process: EGD 2017 Rates

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	8,415.00
Disbursements	\$	23.98
HST	\$	1,097.07
Total Cost Claim	\$	9,536.05

Payment Information

Make cheque payable to: Fogler, Rubino 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>2016-0215</u>	Process: <u>EGD 2017 Rates</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>
SERVICE PROVIDER TYPE (check one) Legal Counsel ☒ Articling Student/Paralegal ☐ Consultant ☐ Analyst ☐ Year Called to Bar 1971 Completed Years Practising/Years of Relevant Experience 36	
For Consultant/Analyst: ☐ CV attached ☒ CV provided within previous 24 months Hourly Rate: \$330 HST Rate Charged (enter %): 13.0%	

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	13.30	\$ 330.00	\$ 4,389.00	\$ 570.57	\$ 4,959.57
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	5.50	\$ 330.00	\$ 1,815.00	\$ 235.95	\$ 2,050.95
Attendance	6.70	\$ 330.00	\$ 2,211.00	\$ 287.43	\$ 2,498.43
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			\$ 8,415.00	\$ 1,093.95	\$ 9,508.95

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



File # EB- 2016-0215

Process: EGD 2017 Rates

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing		\$ -	\$ -
Courier	\$ 23.98	\$ 3.12	\$ 27.10
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ 23.98	\$ 3.12	\$ 27.10

December 9, 2016

Enbridge Gas Distribution Inc.
 500 Consumers Road
 Toronto ON
 M2J 1P8
 Attention: Stephanie Allman
 Regulatory Coordinator

IN ACCOUNT WITH
 Fogler, Rubinoff LLP
 77 King Street West, Suite 3000
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 www.foglers.com

fogler
 rubinoff

Our File: F1588 / 166320
BOMA – EB-2016-0215 – Enbridge Gas Distribution Inc., 2017 Rates Application

TO OUR FEE for professional services rendered with respect to the above-captioned matter, including:

<u>Date</u>	<u>Lawyer</u>	<u>Description</u>	<u>Hrs</u>	<u>Fees</u>
Oct-30-16	TB	Reviewing evidence; Preparing IRs.	2.50	825.00
Oct-31-16	TB	Reviewing evidence; Preparing IRs.	4.50	1,485.00
Nov-01-16	TB	Reviewing evidence; Preparing IRs.	5.00	1,650.00
Nov-03-16	TB	Reviewing evidence; Preparing IRs.	1.30	429.00
Nov-10-16	TB	Reviewing evidence; Preparing for Settlement Conference.	1.50	495.00
Nov-17-16	TB	Preparation for Settlement Conference.	3.00	990.00
Nov-17-16	TB	Attending Settlement Conference.	2.00	660.00
Nov-18-16	TB	Preparation for Settlement Conference.	1.00	330.00
Nov-18-16	TB	Attending Settlement Conference.	4.70	1,551.00
TOTAL FEES:				\$8,415.00
OUR FEE HEREIN				\$8,415.00

Summary of Fees

<u>Initials</u>	<u>Total Time</u>	<u>Hourly Rate</u>	<u>Value</u>
TB	25.50	330.00	8,415.00

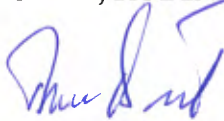
Disbursements

Taxable	Courier & Delivery	\$23.98	
Total Disbursements			\$23.98
Total Fees and Disbursements			\$8,438.98
HST @ 13% on Fees and Taxable Disbursements			\$1,097.07
Total Fees, Disbursements and Taxes this Bill			\$9,536.05

fogler
rubinoff

Balance Due: **\$9,536.05**

**THIS IS OUR ACCOUNT HEREIN
FOGLER, RUBINOFF LLP**



Thomas Brett

THIS ACCOUNT BEARS INTEREST, COMMENCING ONE MONTH AFTER DELIVERY, AT THE RATE OF 3.30% PER ANNUM AS AUTHORIZED BY THE SOLICITORS' ACT. ANY DISBURSEMENTS NOT POSTED TO YOUR ACCOUNT ON THE DATE OF THIS STATEMENT WILL BE BILLED LATER.

E. & O.E.

GST/HST No : R119420859

Please return a copy of this account with your payment. Thank you.

48	0788	4	11:49	King St. West	Restaurants of Cana 1 Mcdonalds Place	165103	0928 09:36	10.89	55
49	750-0831	2	0927 12:19	Fogler Rubinoﬀ 77 King St. West	mr & mrs gluseppe furglele 20 Lauren Beth Dr (Rich)	at - 164331	G Furgluele 0927 15:51	44.00	37
50	750-0881	1	0927 12:56	Fogler Rubinoﬀ 77 King St. West	8040478 CANADA LIMITED 60 Nugget Ave (Scar)	MLM - 162499	Eleanor 0927 14:25	36.30	35
51	750-0883	4	0927 12:58	Fogler Rubinoﬀ 77 King St. West	MS JUDITH MINSTER 4 Bronte Rd (Thor)	CRD - 165203	Judith 0927 16:31	12.10	22
52	750-0886	1	0927 13:04	Fogler Rubinoﬀ 77 King St. West	TERANET LAND INFO 123 Front St W	ACC - 999999	Giovanna 0927 13:30	6.05	B
53	750-0887	1	0927 13:05	Fogler Rubinoﬀ 77 King St. West	ONCORP DIRECT 1033 Bay St	ACC - 999999	Vivi 0927 14:01	6.05	111
54	750-0932	1	0927 14:02	Fogler Rubinoﬀ 77 King St. West	CUSHMAN AND WAKEFIELD 33 Yonge St	AYS - 161333	Talbot 0927 14:54	6.05	B
55	750-0938	4	0927 14:06	Fogler Rubinoﬀ 77 King St. West	ONT ENERGY BOATD 2300 Yonge St	TB - 166320	Fatima 0928 08:25	10.89	K
56	750-0939	0	0927 14:08	Fogler Rubinoﬀ 77 King St. West	SUPERIOR COURT 330 University Ave	SRH - 165587	Ross 0927 14:27	9.02	777
57	750-0953	0	0927 14:28	SUPERIOR COURT OF JUSTICE 7755 Hurontario St (Bram)	Fogler Rubinoﬀ 77 King St. West	sir - 165395 Extra Charge: \$9.00	Bary 0927 16:11	78.30	60
58	750-0955	0	0927 14:30	Fogler Rubinoﬀ 77 King St. West	410 keele nc 1002 Lawrence Ave E (Nort)	ds - 165858	Ephraim 0927 15:40	32.73	38
59	750-0966	0 Ret	0927 14:44	Fogler Rubinoﬀ 77 King St. West	HSBC 70 York St	ACC - 999999	Barry 0927 15:51	15.00	B
60	750-0968	0 Ret	0927 14:44	Fogler Rubinoﬀ 77 King St. West	BMO 100 King St W	ACC - 999999	Abbas-Barry 0927 15:51	15.00	B
61	750-0969	4	0927 14:46	Fogler Rubinoﬀ 77 King St. West	SABERWOOD HOMES 40 Snidercroft Rd (Conc)	VW - 154023	zllena 0928 09:19	16.78	69
62	750-0976	4	0927 14:50	Fogler Rubinoﬀ 77 King St. West	SOLMAR INC 122 Romlna Dr (Conc)	VW - 142747	melissa 0928 10:42	16.78	69
63	750-1002	1 (nd)	0927 15:11	Fogler Rubinoﬀ 77 King St. West	Brattys LLP 7501 Keele St (Conc)	AYS - 165025	elmer 0928 09:22	58.58	69
64	750-1008	4	0927 15:18	Fogler Rubinoﬀ 77 King St. West	BEAVER CREEK REAL ESTATE GROUP 220 Commerce Valley Dr W (Thor)	RMR - 135869	Allica B 0928 09:49	12.10	29
65	750-1015	4	0927 15:25	Fogler Rubinoﬀ 77 King St. West	BVGLAZING SYSTEMS INC 131 Caldari Rd (Conc)	CRD - 136860 Lbs: 30 \$4.50	arleen 0928 10:38	21.28	69
66	750-1020	0 Ret	0927 15:26	Fogler Rubinoﬀ 77 King St. West	TD BANK 55 King St W	ACC - 999999	Daniel-Maj 0927 16:37	15.00	B
67	750-1022	1 Ret	0927 15:27	Fogler Rubinoﬀ 77 King St. West	INDUSTRY CANADA 151 Yonge St	CSZ - 071077	Monika-Maj 0927 16:38	12.10	B
68	750-1024	4	0927 15:32	Fogler Rubinoﬀ 77 King St. West	brattys 7501 Keele St (Conc)	JBG - 164047	elmer 0928 09:22	16.78	69
69	750-1039	0	0927 15:51	Fogler Rubinoﬀ 77 King St. West	KORMAN AND COMPANY 721 Queen St E	AJF - 165135	Maria 0927 16:20	22.00	55
70	750-1092	3 (nd)	0927 16:26	Fogler Rubinoﬀ 77 King St. West	CHRIS BEAVEN PROCESS SER 287 Glenway Cir (Newm)	BWB - 154938	Chris 0928 08:45	46.48	29
71	750-1116	3 (nd)	0927 17:07	Fogler Rubinoﬀ 77 King St. West	SUPERIOR COURT OF JUSTICE 50 Eagle St W (Newm)	SS - 154441	Rachel 0928 08:54	46.48	29
72	750-1190	1	0928 08:25	Fogler Rubinoﬀ 77 King St. West	BANK OF MONTREAL 100 King St W	vw - 124395	Wendy 0928 09:19	6.05	B

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