

August 15, 2017

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

Dear Ms. Walli:

Re: EB-2016-0152 – Ontario Power Generation Inc. 2017-2021 Payment Amounts – Interim Cost Claim of the Consumers Council of Canada

Pursuant to Procedural Order No. 9, dated July 11, 2017, please find attached the cost claim of the Consumers Council of Canada ("Council") for the above-referenced proceeding. I was assisted in this proceeding by Michael Buonaguro, who acted as our Counsel. Mr. Buonaguro and I worked together on many of the issues in the case and collaborated extensively with the other intervenors. We believe we conducted our intervention in an efficient and responsible manner. We attempted to adhere as much as possible to the OEB's policy of only allowing one individual from any given organization to attend the hearing, technical conferences and the Settlement Conference. However, in a few cases we felt it was more effective to have us both attend. In our view this was more efficient than adhering strictly to the OEB's policy. This included the Presentation Day and some time at the hearing prior to, and during our cross-examinations.

Payment should be made directly to the Consumers Council of Canada at the following address:

Consumers Council of Canada
201 – 1920 Yonge Street
Toronto, ON
M4S 3E2

Attention: Ken Whitehurst, Executive Director

We will be sending in a copy of the cost claim with the signed affidavit under separate cover.

Yours truly,

Julie E. Girvan

Julie E. Girvan

CC: Ken Whitehurst, Consumers Council of Canada
OPG - Regulatory Affairs

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>2016-0152</u>	Process: <u>Ontario Power Generation Inc. 2017-2021</u>
Party: <u>Consumers Council of Canada</u>	Affiant's Name: <u>Michael Buonaguro</u>
HST Number: <u>140609165</u>	HST Rate Ontario: <u>0.00%</u>
Full Registrant <input type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

Affidavit

I, Michael Buonaguro, 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 Sept 6 2017
(date)



Commissioner for taking Affidavits

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



File # EB- 2016-0152

Process: Ontario Power Generation Inc. 2017-2021

Party: Consumers Council of Canada

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	143,740.00
Disbursements	\$	-
HST	\$	18,686.20
Total Cost Claim	\$	162,426.20

Payment Information

Make cheque payable to: Consumers Council of Canada

Send payment to this address: 201- 1920 Yonge Street

Toronto, ON

M4S 3E2

Attention: Ken Whitehurst, Executive Director

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



File # EB- <u>2016-0152</u>	Process: <u>Ontario Power Generation Inc. 2017-2021</u>
Party: <u>Consumers Council of Canada</u>	Service Provider Name: <u>Julie Girvan</u>
SERVICE PROVIDER TYPE <small>(check one)</small> Legal Counsel <input type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input checked="" type="checkbox"/> Analyst <input type="checkbox"/> For Consultant/Analyst: <input type="checkbox"/> CV attached <input checked="" type="checkbox"/> CV provided within previous 24 months	
Year Called to Bar	Completed Years Practising/Years of Relevant Experience
<input type="text"/>	<input type="text" value="27"/>
	Hourly Rate: <input type="text" value="\$330"/>
	HST Rate Charged (enter %) <input type="text" value="13.0%"/>

Statement of Fees Being Claimed

	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation	0.50	\$ 330.00	\$ 165.00	\$ 21.45	\$ 186.45
Attendance	2.00	\$ 330.00	\$ 660.00	\$ 85.80	\$ 745.80
Technical Conference					
Preparation	16.50	\$ 330.00	\$ 5,445.00	\$ 707.85	\$ 6,152.85
Attendance	9.00	\$ 330.00	\$ 2,970.00	\$ 386.10	\$ 3,356.10
Interrogatories					
Preparation	53.50	\$ 330.00	\$ 17,655.00	\$ 2,295.15	\$ 19,950.15
Responses	16.00	\$ 330.00	\$ 5,280.00	\$ 686.40	\$ 5,966.40
Issues Conference					
Preparation	9.50	\$ 330.00	\$ 3,135.00	\$ 407.55	\$ 3,542.55
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	17.50	\$ 330.00	\$ 5,775.00	\$ 750.75	\$ 6,525.75
Attendance	14.50	\$ 330.00	\$ 4,785.00	\$ 622.05	\$ 5,407.05
Proposal Preparation	1.50	\$ 330.00	\$ 495.00	\$ 64.35	\$ 559.35
Argument					
Preparation	56.00	\$ 330.00	\$ 18,480.00	\$ 2,402.40	\$ 20,882.40
Oral Hearing					
Preparation	37.00	\$ 330.00	\$ 12,210.00	\$ 1,587.30	\$ 13,797.30
Attendance	39.50	\$ 330.00	\$ 13,035.00	\$ 1,694.55	\$ 14,729.55
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 90,090.00	\$ 11,711.70	\$ 101,801.70

8/2017

INVOICE

TO: Consumers Council of Canada
201-1920 Yonge Street
Toronto, ON
M4S 3E2

FROM:

Julie E. Girvan
J. E. Girvan Enterprises
62 Hillside Avenue East
Toronto, Ontario
M4S 1T5

GST # 135678944

FOR:

Consulting Services Regarding the Ontario Energy Board Rate Proceeding –
Ontario Power Generation Inc. - 2017-2021 Payment Amounts – EB-2016-
0152

DATE:

August 14, 2017

DATE	DESCRIPTION OF ACTIVITY	HOURS	P/IAT/AR
Mar 30	Meeting with intervenors and prep	3	P-int
June 15	Reviewing evidence, notes	3.5	P-int
June 16	Reviewing evidence notes	3	P-Int
Aug 8	Reviewing previous decisions, notes	3	P-int
Aug 30	Reviewing evidence	3	P-Int
Aug 31	Reviewing evidence re: issues, drafting letter	6	issues
Sept 1	Reviewing other submissions	1.5	issues
Sept 1	Attending Presentation, discussions with intervenors	2.5	Pre-hearing
Sept 13	Reviewing Darlington evidence	6	P-Int
Sept 16	Reviewing evidence	5.5	P-int
Sept 19	Reviewing evidence for TC, discussion with MRB	4	P-TC
Sept 22	Reviewing evidence for untranscribed TC	3	P-TC
Sept 23	Attending TC	5	AT-TC
Sept 27	Reviewing evidence, meeting with MRB	4	P-Int
Sept 28	Reviewing evidence	5	P-Int
Sept 30	Drafting interrogatories	5	P-Int

Oct 2	Drafting Interrogatories	4.5	P-int
Oct 3	Drafting interrogatories	5	P-int
Oct 17	Reviewing evidence	3.5	P-TC
Nov 10	Reviewing responses	5	R-int
Nov 10	Issues review, letter	2	issues
Nov 11	Reviewing responses	6	R-int
Nov 13	Preparing for TC	6	P-TC
Nov 14	Attending TC, briefing MRB	1.5	AT-TC
Nov 15	Listening to TC	2.5	AT-TC
Nov 27	Reviewing responses	5	R-Int
Nov 27	Reviewing transcripts, notes	3	P-H
Nov 30	Reviewing BS evidence	3	P-Int
Dec 28	Preparing for ADR	6	P-ADR
Jan 5	Preparing for ADR	5.5	P-ADR
Jan 8	Reviewing TC undertakings, evidence	4	P-ADR
Jan 9	Intervenor meeting	2	P-ADR
Jan 9	Attendance at ADR	6	AT-ADR
Jan 10	Attendance at ADR	5.5	AT-ADR
Jan 11	Attendance at ADR	3	AT-ADR
Jan 13	Reviewing updated evidence, notes	3.5	P-H
Jan 16	Reviewing evidence, notes for hearing	4	P-H
Jan 19	Reviewing settlement	1.5	ADR-Prop
Jan 27	Reviewing issues decision, notes, emails	5	P-H
Feb 17	Reviewing updated evidence	2	P-H
Feb 20	Preparing for hearing	4	P-H
Feb 21	Preparing for hearing	3.5	P-H
Feb 22	Preparing for hearing	6	P-H
Feb 26	Preparing for hearing	2	P-H
Feb 27	Attendance at hearing	3	AT-H
Mar 2	Listening to hearing	2.5	AT-H
Mar 5	Preparing for hearing	3.5	P-H
Mar 6	Attendance at hearing	5	AT-H
Mar 20	Preparing for hearing	3	P-H
Mar 21	Attendance at hearing	4	AT-H
Mar 26	Preparing for hearing	2	P-H
Mar 27	Attendance at hearing	6	AT-H
Mar 28	Attendance at hearing	5	AT-H
Mar 30	Attendance at hearing	5	AT-H
April 3	Listening to hearing	3	AT-H
April 6	Listening to hearing	3	AT-H
April 22	Listening to hearing	3	AT-H
April 24	Reviewing undertakings	4	P-AR
April 27	Reviewing undertakings	3	P-AR
May 5	Intervenor call and prep	3	P-AR
May 11	Reviewing transcripts, notes	5	P-AR
May 16	Reviewing AIC, notes	4.5	P-AR
May 17	Reviewing transcripts, notes	7.5	P-AR
May 23	Reviewing transcripts, evidence	4	P-AR
May 24	Argument	4.5	P-AR

May 25	Argument	3.5	P-AR
May 26	Argument	5	P-AR
May 28	Argument	8	P-AR
May 29	Argument	4	P-AR
	TOTAL HOURS	273	

273 hours X \$330.00/hour	\$90,090.00
plus 13% HST	\$11,711.70
TOTAL AMOUNT DUE	\$101,801.70

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



File # EB- <u>2016-0152</u>	Process: <u>Ontario Power Generation Inc. 2017-2021</u>
Party: <u>Consumers Council of Canada</u>	Service Provider Name: <u>Michael Buonaguro</u>
SERVICE PROVIDER TYPE (check one)	
Legal Counsel <input checked="" type="checkbox"/>	Year Called to Bar 2002
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience 15
Consultant <input type="checkbox"/>	Hourly Rate: \$290
Analyst <input type="checkbox"/>	HST Rate Charged (enter %) 13.0%
For Consultant/Analyst: <input type="checkbox"/> CV attached <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		\$ 290.00	\$ -	\$ -	\$ -
Attendance		\$ 290.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	8.40	\$ 290.00	\$ 2,436.00	\$ 316.68	\$ 2,752.68
Attendance	21.30	\$ 290.00	\$ 6,177.00	\$ 803.01	\$ 6,980.01
Interrogatories					
Preparation	22.70	\$ 290.00	\$ 6,583.00	\$ 855.79	\$ 7,438.79
Responses		\$ 290.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 290.00	\$ -	\$ -	\$ -
Attendance		\$ 290.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	4.00	\$ 290.00	\$ 1,160.00	\$ 150.80	\$ 1,310.80
Attendance	2.00	\$ 290.00	\$ 580.00	\$ 75.40	\$ 655.40
Proposal Preparation		\$ 290.00	\$ -	\$ -	\$ -
Argument					
Preparation	33.00	\$ 290.00	\$ 9,570.00	\$ 1,244.10	\$ 10,814.10
Oral Hearing					
Preparation	26.70	\$ 290.00	\$ 7,743.00	\$ 1,006.59	\$ 8,749.59
Attendance	60.70	\$ 290.00	\$ 17,603.00	\$ 2,288.39	\$ 19,891.39
Other Conferences					
Preparation		\$ 290.00	\$ -	\$ -	\$ -
Attendance	6.20	\$ 290.00	\$ 1,798.00	\$ 233.74	\$ 2,031.74
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 53,650.00	\$ 6,974.50	\$ 60,624.50

Michael R. Buonaguro Barrister and Solicitor

24 Humber Trail
Toronto, Ontario M6S 4C1

Ph:(416) 767-1666

Fax:(416) 767-1666

Consumers Council of Canada

August 13, 2017

Attention: File #: 05-394
Inv #: 637

RE: OPG 2017-2021 Rate Proceeding

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-30-16	Preparation for and attendance at meeting with intervenor groups re filing.	2.50	725.00	MRB
Sep-01-16	Attendance at OPG Presentation (by phone).	1.70	493.00	MRB
Sep-06-16	Review evidence references re legal precedents, preparation of IRS.	2.00	580.00	MRB
Sep-07-16	Drafting IRs, reviewing evidence.	4.00	1,160.00	MRB
Sep-15-16	Review evidence re tech conference.	2.50	725.00	MRB
Sep-19-16	Review evidence re DRP and Smoothing account.	1.50	435.00	MRB
	Conference with JG.	0.40	116.00	MRB
Sep-20-16	Review evidence re DRP planning.	1.50	435.00	MRB
Sep-22-16	Preparation for tech conference.	1.00	290.00	MRB
Sep-23-16	Review slide presentation.	0.40	116.00	MRB
	Attendance at tech conference.	5.00	1,450.00	MRB
Sep-26-16	Review Board Staff IRs.	1.50	435.00	MRB

Sep-27-16	Review evidence draft IRs, conference with JG.	4.50	1,305.00	MRB
Sep-28-16	Review evidence draft IRs.	2.00	580.00	MRB
Sep-30-16	Review evidence, draft IRs, emails to JG.	1.50	435.00	MRB
Oct-03-16	Conference call with JG, review draft IRs.	0.80	232.00	MRB
Oct-28-16	Brief review of IR responses to CCC IRs.	1.00	290.00	MRB
Nov-07-16	Review IR responses for TC preparation.	2.00	580.00	MRB
Nov-11-16	Preparation for tech conference.	1.00	290.00	MRB
Nov-14-16	Attendance at tech conference.	8.00	2,320.00	MRB
	Preparation for tech conference.	0.50	145.00	MRB
Nov-15-16	Attendance at technical conference.	8.30	2,407.00	MRB
Nov-29-16	Review board staff evidence.	2.00	580.00	MRB
Dec-01-16	Review board staff evidence, draft IR.	1.00	290.00	MRB
Dec-16-16	Attend Motion hearing via internet.	2.00	580.00	MRB
Jan-05-17	Preparation for settlement conference.	3.50	1,015.00	MRB
Jan-09-17	Attendance at settlement conference for preliminary intervenor caucus.	2.00	580.00	MRB
	Preparation for settlement conference.	0.50	145.00	MRB
Feb-13-17	Conference with JG.	0.90	261.00	MRB
Feb-14-17	Review evidence, preparation for hearing.	5.00	1,450.00	MRB
Feb-21-17	Conference call with Board Staff, preparation for hearing.	1.50	435.00	MRB
Feb-23-17	Conference with JG.	0.30	87.00	MRB
Feb-26-17	Preparation for hearing.	2.00	580.00	MRB

Feb-27-17	Attendance at hearing.	7.70	2,233.00	MRB
Feb-28-17	Attendance at hearing via internet.	6.00	1,740.00	MRB
Mar-02-17	Attendance at hearing.	7.00	2,030.00	MRB
Mar-03-17	Attendance at hearing.	5.50	1,595.00	MRB
Mar-06-17	Attendance at hearing via internet (not including Settlement Presentation).	4.00	1,160.00	MRB
Mar-07-17	Attendance at hearing.	3.00	870.00	MRB
	Attendance at hearing via internet.	3.00	870.00	MRB
Mar-09-17	Attendance at hearing.	6.70	1,943.00	MRB
Mar-10-17	Attendance at hearing (including early attendance for preparation.	3.00	870.00	MRB
Apr-02-17	Preparation for hearing.	2.50	725.00	MRB
Apr-03-17	Attendance at hearing.	6.00	1,740.00	MRB
Apr-04-17	Preparation for hearing.	5.00	1,450.00	MRB
Apr-05-17	Preparation for hearing.	7.50	2,175.00	MRB
Apr-06-17	Attendance at hearing.	6.30	1,827.00	MRB
Apr-11-17	Preparation for hearing.	1.00	290.00	MRB
Apr-12-17	Attendance at hearing.	2.50	725.00	MRB
	Preparation for hearing.	1.00	290.00	MRB
Apr-23-17	Review filed undertakings.	1.00	290.00	MRB
May-02-17	Conference re argument.	0.30	87.00	MRB
May-03-17	Argument outline.	1.00	290.00	MRB
May-04-17	Conference re argument.	0.60	174.00	MRB

May-05-17	Conference call with intervenors re argument.	1.60	464.00	MRB
May-09-17	Drafting argument.	4.00	1,160.00	MRB
May-11-17	Drafting argument.	2.50	725.00	MRB
May-16-17	Drafting argument.	3.50	1,015.00	MRB
May-18-17	Drafting argument.	3.50	1,015.00	MRB
May-22-17	Drafting argument.	3.50	1,015.00	MRB
May-25-17	Drafting argument.	4.50	1,305.00	MRB
May-26-17	Drafting argument, conference with JG.	3.50	1,015.00	MRB
May-28-17	Drafting argument.	3.50	1,015.00	MRB
	Totals	185.00	\$53,650.00	
	Total GST on Fees		6,974.50	

Total Fee & Disbursements

\$60,624.50

Balance Now Due

\$60,624.50

TAX ID Number 830059879
Total GST \$6,974.50