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September 14, 2017

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 173390

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-2017-0102: Enbridge Gas Distribution Inc., 2016 Earnings Sharing Mechanism
and Other Deferral and Variance Accounts Clearance Review – BOMA Cost Claim**

Pursuant to Decision and Rate Order dated August 31, 2017, please find attached BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd
Encls.

cc: Lawrie Gluck, OEB (*by email*)
Andrew Mandyam, EGD (*by email*)
David Stevens, Aird & Berlis (*by email*)
Marion Fraser, Fraser & Company (*by email*)
Bala Gnanam, BOMA (*by 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.

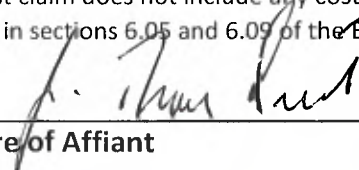
Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- <u>2017-0102</u>	Process: <u>EGD Deferral Account</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

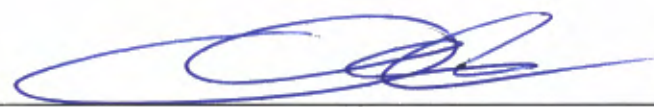
I, Tom Brett, of the City/Town of Toronto
in the Province/State of Ontario, swear or affirm that:

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 Sept. 7, 2017.
(date)



Commissioner for taking Affidavits

(ALBERT ENGEL - LAWYER)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2017-0102

Process: EGD Deferral Account

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	16,731.00
Disbursements	\$	10.89
HST	\$	2,176.45
Total Cost Claim	\$	18,918.34

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: Attn: Debbie Dey

77 King Street West, Suite 3000

PO Box 95, TD Centre

Toronto, ON M5K 1G8

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2017-0102</u>	Process: <u>EGD Deferral Account</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience	
Legal Counsel <input checked="" type="checkbox"/>	1971	36	
Articling Student/Paralegal <input type="checkbox"/>			
Consultant <input type="checkbox"/>			
Analyst <input type="checkbox"/>			
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: \$330	
<input checked="" type="checkbox"/> CV provided within previous 24 months		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	15.80	\$ 330.00	\$ 5,214.00	\$ 677.82	\$ 5,891.82
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	21.90	\$ 330.00	\$ 7,227.00	\$ 939.51	\$ 8,166.51
Attendance	13.00	\$ 330.00	\$ 4,290.00	\$ 557.70	\$ 4,847.70
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			\$ 16,731.00	\$ 2,175.03	\$ 18,906.03

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



File # EB- 2017-0102

Process: EGD Deferral Account

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing		\$ -	\$ -
Courier	\$ 10.89	\$ 1.42	\$ 12.31
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ 10.89	\$ 1.42	\$ 12.31

Prebill # 936956 Session: 539116 Bill to: 31/Aug/17

Client: F1588
Fraser & Company

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

Matter: 173390
BOMA – EB-2017-0102: Enbridge
Gas Distribution Inc., 2016
Earnings Sharing Mechanism and
Other Deferral and Variance
Accounts Clearance Review

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS
Enbridge Gas Distribution Inc.
500 Consumers Road
Toronto, ON
M2J 1P8
Canada
Attn: Andrew Mandyam

Page 1

PAYOR: E0685 MT04
BILL: E0685 MT04

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>
27/Jul/17	Thomas Brett	50.70	16,731.00	[] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		50.70	16,731.00	[] 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>
22/Jun/17	7	Courier & Delivery	Y	11.99			
TOTAL UNBILLED DISB				11.99	[] WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: E0685/**173390**
 Enbridge Gas Distribution Inc.
 BOMA – EB-2017-0102: Enbridge Gas
 Distribution Inc., 2016 Earnings Sharing
 Mechanism and Other Deferral and
 Variance Accounts Clearance Review
 Prebill No.: 936956
 Session ID: 539116

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

BILL ADDRESS
 Enbridge Gas Distribution Inc.
 500 Consumers Road
 Toronto, ON M2J 1P8
 CANADA

PAYOR DEFAULT ADDRESS
 500 Consumers Road
 Toronto, ON
 M2J 1P8
 Mandyam, Andrew

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/Jun/17	3012694	415 TB	7.50	330.00	2,475.00	Reviewing evidence; Preparing IRs
19/Jun/17	3016250	415 TB	2.00	330.00	660.00	Reviewing evidence; Preparing IRs
20/Jun/17	3016257	415 TB	5.70	330.00	1,881.00	Reviewing evidence; Preparing IRs
21/Jun/17	3016274	415 TB	0.60	330.00	198.00	Reviewing evidence; Preparing IRs
19/Jul/17	3031508	415 TB	1.50	330.00	495.00	Reviewing evidence
20/Jul/17	3031442	415 TB	6.00	330.00	1,980.00	Reviewing IRs; Preparing for Settlement Conference
21/Jul/17	3031443	415 TB	6.00	330.00	1,980.00	Reviewing IRs; Preparing for Settlement Conference
24/Jul/17	3032446	415 TB	1.90	330.00	627.00	Reviewing IRs and preparing for Settlement Conference
25/Jul/17	3035423	415 TB	3.50	330.00	1,155.00	Preparation for Settlement Conference
26/Jul/17	3035427	415 TB	2.00	330.00	660.00	Preparation for Settlement Conference
26/Jul/17	3035428	415 TB	7.00	330.00	2,310.00	Attending Settlement Conference
27/Jul/17	3035429	415 TB	1.00	330.00	330.00	Preparation for Settlement Conference
27/Jul/17	3035430	415 TB	6.00	330.00	1,980.00	Attending Settlement Conference
TOTAL TIME			50.70		16,731.00	

DETAIL OF UNBILLED DISBURSEMENTS

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
22/Jun/17	7266844	7		11.99	12:06 TB Courier: Blizzard# 7611328 ONTARIO ENERGY BOARD-2300 Yonge St-Nathalie
TOTAL DISB				11.99	

	0867	(nd)	15:28	King St. West	Steeles Ave E (Nort)	173668	0622 16:11		
127	761-0872	0 Ret	0621 15:34	Fogler Rubinoff 77 King St. West	SCOTIA BANK 40 King St W	VW - 173752	Data - parvin 0621 15:34		
128	761-0877	4	0621 15:40	Fogler Rubinoff 77 King St. West	SIMMONS DA SILVA LLP 201 County Court Blvd (Bram)	MSW - 152829			
129	761-0915	0 Ret	0621 16:05	Fogler Rubinoff 77 King St. West	TD BANK 55 King St W	ACC - 999999	pat-parvin 0621 16:55		
130	761-0916	4	0621 16:07	Fogler Rubinoff 77 King St. West	RON D E RHEAD 220 Kennedy St W (Auro)	CRD - 071657	Branda 0622 08:29		
131	761-0950	4	0621 16:44	Fogler Rubinoff 77 King St. West	ROYAL BANK OF CANADA 10 York Mills Rd (Nort)	VW - 173752	SRI 0622 08:17		
132	761-1003	0	0622 07:39	canada post 222 Bay St	Fogler Rubinoff 77 King St. West	mlr - 999999 Pieces: 2 Lbs: 30 \$4.50	parvin8:30 0622 08:53	12.11	
133	761-1030	0 Ret	0622 08:33	Fogler Rubinoff 77 King St. West	ROYAL BANK 200 Bay St	LC - 164469	Paula-parvin 0622 09:11	15.00	B
134	761-1032	0	0622 08:36	Fogler Rubinoff 77 King St. West	macdonald sager mails 150 York St	AP - 162972	Adriemma9:06 0622 10:01	7.50	B
135	761-1037	2	0622 08:50	Fogler Rubinoff 77 King St. West	KORNBLUM LAW PROFESSIONAL 508 Lawrence Ave W (Nort)	SAB - 171407	shawna 0622 11:18	19.25	69
136	761-1044	2	0622 08:55	Fogler Rubinoff 77 King St. West	MR MICHAEL HORAN 198 Cottingham St	SAB - 171407	Mailbox 0622 11:09	8.25	+87
137	761-1076	4	0622 09:29	Fogler Rubinoff 77 King St. West	Healthwood Homes 245 Yorkland Blvd (Nort)	LC - 164469	teresa 0623 09:24	10.89	26
138	761-1110	1	0622 10:07	Fogler Rubinoff 77 King St. West	CS & P ARCHITECTS INC 2345 Yonge St	MW - 168309	jessica evans 0622 12:14	18.15	Y
139	761-1130	0 Ret	0622 10:32	Fogler Rubinoff 77 King St. West	TD BANK 55 King St W	DKM - 174036	Kandy 0622 11:05	15.00	B
140	761-1131	0 Ret	0622 10:32	Fogler Rubinoff 77 King St. West	TD BANK 55 King St W	DKM - 174036	Pat-parvin 0622 11:05	15.00	B
141	761-1133	1	0622 10:34	Fogler Rubinoff 77 King St. West	GARFINKLE BIDEAN 1 Adelaide St E	MBN - 173183	Lisa 0622 11:17	6.05	B
142	761-1164	0	0622 10:50	land registry office 20 Dundas St W	Fogler Rubinoff 77 King St. West	KK - 111189	parvin 0622 11:08	9.02	666
143	761-1172	1	0622 10:57	Fogler Rubinoff 77 King St. West	AIRD & BERLIS 181 Bay St	JMJ - 168424	Marie 0622 11:25	6.05	B
144	761-1184	1	0622 11:09	Fogler Rubinoff 77 King St. West	MR C WILLIAM DANIEL 262 St Clair Ave W	WIP - 084860	nathaniel 0622 12:42	11.00	666
145	761-1194	0	0622 11:16	Fogler Rubinoff 77 King St. West	toronto land registry office 20 Dundas St W	KK - 111189	ann 0622 11:48	9.02	666
146	761-1224	0	0622 11:35	Fogler Rubinoff 77 King St. West	CITY OF TORONTO 5100 Yonge St (Nort)	AJF - 173120	Barb 0622 12:42	43.73	Z
147	761-1328	4	0622 12:44	Fogler Rubinoff 77 King St. West	ONTARIO ENERGY BOARD 2300 Yonge St	TB - 173390	Nathalie 0623 10:58	10.89	Z
148	761-1330	4	0622 12:47	Fogler Rubinoff 77 King St. West	toronto small claims court 47 Sheppard Ave E (Nort)	JMJ - 164322	Dalia 0622 16:43	10.89	E
149	761-1340	1	0622 12:54	Fogler Rubinoff 77 King St. West	ministry of transportation 777 Bay St	DWL - 126577	Craig 0622 13:54	6.05	---
150	761-1347	1	0622 13:01	Fogler Rubinoff 77 King St. West	MORTY SHAPIRO PROFESSIONAL COR 9100 Jane St (Conc)	AT - 172808	kathy 0622 15:40	58.58	---
151	761-1353	4	0622 13:07	Fogler Rubinoff 77 King St. West	374 DUPONT STREET LIMITED 10 Wanless Ave	CRD - 172802	Olga 0622 16:24	10.89	E
152	761-1359	3 (nd)	0622 13:14	Fogler Rubinoff 77 King St. West	AMY FLORENCE 68 CAVENDISH CRES (BRAM)	SMH - 156535	Amy Florence 0623 12:52	48.13	---
153	761-1362	0	0622 13:16	Fogler Rubinoff 77 King St. West	LIPMAN ZENER& waxman 1220 Eglinton Ave W	lw - 173183	kin 0622 14:50	27.23	---
154	761-	0	0622	Fogler Rubinoff 77	ERIC GUO 50 Minthorn	DKM -	Wong	47.22	---