

November 15, 2017

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

**Ms. Kirsten Walli**

Board Secretary

Ontario Energy Board

2300 Yonge Street, Suite 2700, P.O. Box 2319

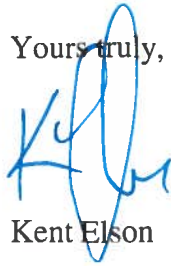
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: EB-2016-0296/0300/0330 – Union Gas Limited (“Union”), Enbridge  
Gas Distribution Inc. (“EGDI”), Natural Resource Gas Limited  
(“NRG”) – 2017 Cap-and-Trade Compliance Plans**

Enclosed please find the cost claims of Environmental Defence in the above matters.

Yours truly,



Kent Elson

**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.

<b>File # EB-</b> <u>2016-0296</u>	<b>Process:</b> <u>Cap and Trade Compliance Plan - Union</u>
<b>Party:</b> <u>Environmental Defence</u>	<b>Affiant's Name:</b> <u>Kent Elson</u>
<b>HST Number:</b> <u>872151923RT0001</u>	<b>HST Rate Ontario:</b> <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(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 November 15, 2017.  
(date)

  
\_\_\_\_\_  
**Commissioner for taking Affidavits**

*LSVL NO: 7052815*

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2016-0296

Process: Cap and Trade Compliance Plan - Union

Party: Environmental Defence

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	6,732.50
Disbursements	\$	108.78
HST	\$	444.68
<b>Total Cost Claim</b>	<b>\$</b>	<b>7,285.96</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

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

<b>File # EB-</b> <u>2016-0296</u>	<b>Process:</b> <u>Cap and Trade Compliance Plan - Union</u>
<b>Party:</b> <u>Environmental Defence</u>	<b>Service Provider Name:</b> <u>Jack Gibbons</u>

<b>SERVICE PROVIDER TYPE</b> (check one )	<b>Year Called to Bar</b>	<b>Completed Years Practising/Years of Relevant Experience</b>
Legal Counsel <input type="checkbox"/>	<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto; text-align: center;">35</div>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input checked="" type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		<b>Hourly Rate:</b> <div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto; text-align: center;">\$250</div>
<input checked="" type="checkbox"/> CV provided within previous 24 months		
		<b>HST Rate Charged (enter %):</b> <div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto; text-align: center;">6.5%</div>

#### Statement of Fees Being Claimed

	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 250.00	\$ -	\$ -	\$ -
Attendance		\$ 250.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 250.00	\$ -	\$ -	\$ -
Attendance		\$ 250.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	2.13	\$ 250.00	\$ 531.25	\$ 34.53	\$ 565.78
Responses		\$ 250.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 250.00	\$ -	\$ -	\$ -
Attendance		\$ 250.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 250.00	\$ -	\$ -	\$ -
Attendance		\$ 250.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 250.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	0.67	\$ 250.00	\$ 166.25	\$ 10.81	\$ 177.06
<b>Oral Hearing</b>					
Preparation	1.04	\$ 250.00	\$ 260.00	\$ 16.90	\$ 276.90
Attendance		\$ 250.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 250.00	\$ -	\$ -	\$ -
Attendance		\$ 250.00	\$ -	\$ -	\$ -
<b>Case Management</b>					
		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 957.50	\$ 62.24	\$ 1,019.74

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



File # EB- 2016-0296

Process: Cap and Trade Compliance Plan - Union

Party: Environmental Defence

Service Provider Name: Jack Gibbons

**Statement of Disbursements Being Claimed**

		Net Cost	HST	Total
Scanning/Photocopy			\$ -	\$ -
Printing			\$ -	\$ -
Courier			\$ -	\$ -
Telephone/Fax			\$ -	\$ -
Transcripts			\$ -	\$ -
Travel: Air			\$ -	\$ -
Travel: Car			\$ -	\$ -
Travel: Rail			\$ -	\$ -
Travel (Other):			\$ -	\$ -
Parking			\$ -	\$ -
Taxi			\$ -	\$ -
Accommodation			\$ -	\$ -
Meals			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
<b>TOTAL DISBURSEMENTS:</b>		\$ -	\$ -	\$ -

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <u>2016-0296</u>	Process: <u>Cap and Trade Compliance Plan - Union</u>
Party: <u>Environmental Defence</u>	Service Provider Name: <u>Kent Elson</u>
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p><b>SERVICE PROVIDER TYPE</b> (check one)</p> <p>Legal Counsel <input checked="" type="checkbox"/></p> <p>Articling Student/Paralegal <input type="checkbox"/></p> <p>Consultant <input type="checkbox"/></p> <p>Analyst <input type="checkbox"/></p> </div> <div style="width: 20%;"> <p>Year Called to Bar</p> <p style="border: 1px solid black; text-align: center;">2009</p> </div> <div style="width: 30%;"> <p>Completed Years Practising/Years of Relevant Experience</p> <p style="border: 1px solid black; text-align: center;">8</p> </div> </div>	
<p>For Consultant/Analyst: <input type="checkbox"/> CV attached <span style="margin-left: 100px;"><input type="checkbox"/> CV provided within previous 24 months</span></p>	
<p>Hourly Rate: <span style="border: 1px solid black; padding: 2px 10px;">\$210</span></p> <p>HST Rate Charged (enter %): <span style="border: 1px solid black; padding: 2px 10px;">6.5%</span></p>	

#### Statement of Fees Being Claimed

	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 210.00	\$ -	\$ -	\$ -
Attendance		\$ 210.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 210.00	\$ -	\$ -	\$ -
Attendance		\$ 210.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	3.45	\$ 210.00	\$ 724.50	\$ 47.09	\$ 771.59
Responses		\$ 210.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 210.00	\$ -	\$ -	\$ -
Attendance		\$ 210.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 210.00	\$ -	\$ -	\$ -
Attendance		\$ 210.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 210.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	8.40	\$ 210.00	\$ 1,764.00	\$ 114.66	\$ 1,878.66
<b>Oral Hearing</b>					
Preparation	8.65	\$ 210.00	\$ 1,816.50	\$ 118.07	\$ 1,934.57
Attendance	7.00	\$ 210.00	\$ 1,470.00	\$ 95.55	\$ 1,565.55
<b>Other Conferences</b>					
Preparation		\$ 210.00	\$ -	\$ -	\$ -
Attendance		\$ 210.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 5,775.00	\$ 375.38	\$ 6,150.38

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- 2016-0296

Process: Cap and Trade Compliance Plan - Union

Party: Environmental Defence

Service Provider Name: Kent Elson

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing	\$ 31.68	\$ 2.06	\$ 33.74
Courier	\$ 77.10	\$ 5.01	\$ 82.11
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
<b>TOTAL DISBURSEMENTS:</b>			
	\$ 108.78	\$ 7.07	\$ 115.85

# KLIPPENSTEINS

BARRISTERS & SOLICITORS

**Environmental Defence Canada Inc.**  
116 Spadina Ave  
Suite 300  
Toronto, ON M5V 2K6  
**RE: EB-2016-0290 - Union Cap and Trade**

**August 31, 2017**  
File #: 2183  
Invoice #: 4300

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## *Work Completed*

Date	Lawyer	Description of Work Completed	Time
Nov-15-16	KE	Review correspondence from Union Gas re 2017 Cap and Trade compliance plan	0.05
Jan-05-17	KE	Correspond with J. Gibbons; draft intervention request; prepare Declaration and Undertaking	0.50
Jan-31-17	KE	Review procedural order #1; review draft issues list; review application in detail; draft notes re issues in the proceeding	0.85
Feb-01-17	KE	Confer with J. Gibbons; review OEB DSM potential study	0.20
Feb-02-17	KE	Draft comments on the issues list	0.65
Feb-03-17	KE	Finalize and file comments on the issues list	0.20
Feb-10-17	KE	Review draft IRs	0.10
Feb-14-17	KE	Draft interrogatories	0.90
Feb-17-17	KE	Review procedural order	0.05
Feb-24-17	KE	Review comments from J. Gibbons re IRs; correspond with J. Gibbons; revise IRs; serve and file IRs	0.70
Mar-29-17	KE	Review interrogatories from Union; draft correspondence to counsel for Union	0.55
Mar-30-17	KE	Correspond with D. O'Leary	0.15



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Apr-04-17	KE	Review procedural order	0.05
Apr-06-17	KE	Review memo from J. Gibbons; draft notes re hearing time; develop time estimates; draft correspondence to J. Gibbons; draft correspondence to J. Wasylk; review DSM and LRAM materials	0.90
Apr-15-17	KE	Review procedural order; review interrogatories; prepare for hearing	0.60
Apr-16-17	KE	Prepare cross-examination notes and compendium	2.45
Apr-17-17	KE	Prepare cross-examination notes and compendium	0.95
Apr-18-17	KE	Prepare for hearing; attend hearing (3.5 hr)	4.60
Apr-19-17	KE	Draft correspondence to J. Gibbons; prepare for hearing tomorrow	0.40
Apr-20-17	KE	Prepare cross-examination notes for hearing today; attend hearing (3.5 hrs)	4.20
Apr-28-17	KE	Preview procedural order; diarize dates	0.05
May-15-17	KE	Draft submissions	0.70
May-16-17	KE	Draft submissions	3.40
May-17-17	KE	Draft submissions; confer with J. Gibbons; revise submissions per comments by J. Gibbons	3.30
May-18-17	KE	Review comments from J. Gibbons	0.15
May-19-17	KE	Final review and revision of submissions; correspond with client	0.70
Jun-02-17	KE	Review reply submissions	0.15

***Legal Fees Summary***

<b>Initials</b>	<b>Lawyer</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
KE	Kent Elson	27.50	\$210	\$5,772.50
<b>Total Legal Fees:</b>				<b>\$5,772.50</b>

***Disbursements***


Courier expenses	\$31.68
Outside photocopy expenses	\$77.10
<b>Total Disbursements:</b>	<b>\$108.78</b>

***Totals***

Legal Fees	\$5,772.50
Disbursements	\$108.78
HST on Fees and Disbursements	\$764.57
Payment From Client Trust Account Towards This Invoice	\$0.00
<b>Total Amount For This Invoice:</b>	<b>\$6,645.85</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: \$764.57

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



ONTARIO  
CLEAN AIR  
ALLIANCE

## INVOICE: EB-2016-0296/0300

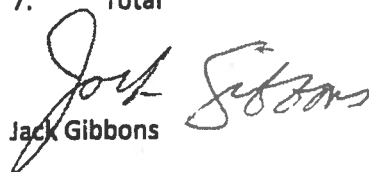
To: Klippensteins; Attention: Kent Elson

From: Ontario Clean Air Alliance

Re: Fee for professional services of Jack Gibbons with respect to OEB Docket No. EB-2016-0296 & EB-2016-0300 (Union Gas & Enbridge Gas Distribution Cap & Trade Plans) for the period December 19, 2016 to May 18, 2017

Date: May 30, 2017

1. Reviewing Enbridge evidence		
2.42 hours x \$250/hr		\$605.00
2. Reviewing Union evidence		
1.5 hours x \$250/hr		\$375.00
3. Drafting interrogatories		
1.25 hours x \$250/hr		\$312.50 *included 50% Union/ 50% Enbridge
4. Reviewing Enbridge interrogatory responses		
1.17 hours x \$250/hr		\$292.50
5. Reviewing Union interrogatory responses		
0.58 hours x \$250/hr		\$145.00
6. Preparing cross-examination briefing notes		
0.92 hours x \$250/hr		\$230.00 *included 50% Union/ 50% Enbridge
7. Assisting with preparation of argument		
1.33 hours x \$250/hr		\$332.50 *included 50% Union/ 50% Enbridge
6. HST Registration No. 85281 3997 RT0001		<u>\$298.03</u>
7. Total		\$2,590.53

  
Jack Gibbons



**Bill To:** Klippenstein, Barristers & Solicitors  
 Kent Elson  
 160 John St  
 3rd Floor Toronto, ON, M5V 2E5

Invoice **041224792**

TPH Direct Order#: 1642610

**Account:** 601994

**Date:** April 17, 2017

**Ordered By:** Kent Elson

**Phone:** (416) 906-7305

**Customer PO:** 2182/2183

**Ship To:** Bloor & Lansdowne  
 168 Wallace Avenue  
 Toronto, ON, M6H 1V2  
 Attention: Kent Elson (416) 906-7305

TPH Account Hub:  
 View, reprint and pay invoices online.  
[www.tph.ca/tphaccounthub](http://www.tph.ca/tphaccounthub) for more info.

**Job Name:**

Item	1-Sided	2-Sided	Quantity	Description	HST	Job Price
<b>A</b>	77	0	8	B&W	X	\$92.40
Digital B&W Prints: , 8.5x11: , Bind: Cerlox,						
<b>B</b>	0	0	8	Cerlox	X	\$36.80
Other: ,						

**Branch Contact:** Gary Grimshire  
**Address:** 181 University Ave Main Level  
 Toronto, ON, M5H 3M7  
**Phone:** 416-867-1588

<b>Net Sales</b>	\$129.20
<b>Shipping</b>	\$25.00
<b>Sub Total</b>	\$154.20
<b>HST</b>	\$20.05
<b>Total Price</b>	\$174.25
<b>Deposit/Pmt</b>	\$0.00
<b>CAD Amount Due</b>	<b>\$174.25</b>

**REMIT TO:** The Printing House Ltd., 1403 Bathurst Street, Toronto, ON M5R 3H8, Tel (416) 536-6113, 1-866-TPH-Direct (866-874-3473)

**TERMS:** Payment due within 10 days of invoice date. Interest of 1.5% per month (18% P.A.) will be charged on all overdue accounts.

**H.S.T/G.S.T.#:** 105242887RT

**Q.S.T.#:** 1202417066

Services and times changing September 1st

1642 KLIPPENSTEIN, MURRAY		Invoice: 179390
Contact: ROSIE		Reference: X1209
Pickup: KLIPPENSTEIN, MURRAY 160 JOHN ST., 3rd FLOOR TORONTO, ONT. M5V2E5	Destination: ONTARIO ENERGY BOARD 2700 - 2300 YONGE ST TORONTO M4P1E4	
Client Use: 2183		
Additional Information: READY FOR PICK UP		
RUSH	\$14.53	Time Entered 5/23/2017 9:04:46 AM
Pieces 1	\$0.00	Time Received 5/23/2017 9:04:46 AM
Fuel	\$1.31	Time Dispatched 5/23/2017 9:33:49 AM
Subtotal	\$15.84	Time Picked Up 5/23/2017 10:30:13 AM
H.S.T.	\$2.06	Time Delivered 5/23/2017 11:59:45 AM
Total	\$17.90	Last Modified 5/23/2017 11:59:45 AM
Signature: Fatima		Broker: 550

Services and times changing September 1st.

1642 KLIPPENSTEIN, MURRAY		Invoice: 178504
Contact: ROSIE		Reference: X1197
Pickup: KLIPPENSTEIN, MURRAY 160 JOHN ST., 3rd FLOOR TORONTO, ONT. M5V2E5	Destination: ONTARIO ENERGY BOARD 2700 - 2300 YONGE ST TORONTO M4P1E4	
Client Use: 2183		
Additional Information: READ FOR PICK UP AT 9:15		
RUSH	\$14.53	Time Entered 2/27/2017 8:27:21 AM
Pieces 1	\$0.00	Time Received 2/27/2017 9:15:00 AM
Fuel	\$1.31	Time Dispatched 2/27/2017 9:28:59 AM
Subtotal	\$15.84	Time Picked Up 2/27/2017 10:13:14 AM
H.S.T.	\$2.06	Time Delivered 2/27/2017 11:53:50 AM
Total	\$17.90	Last Modified 2/27/2017 11:53:50 AM
Signature: sarah		Broker: 318