



Fogler, Rubinoff LLP

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January 31, 2018

Reply To: Thomas Brett

Direct Dial: 416.941.8861

E-mail: tbrett@foglers.com

Our File No. 175596

**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-2017-0087: Union Gas Limited, 2018 Rates Application**

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Pursuant to the Board's Decision and Rate Order dated January 18, 2018, please find enclosed herewith BOMA's Cost Claim.

Yours truly,

**FOGLER, RUBINOFF LLP**

Thomas Brett

TB/dd

Encls.

cc: All Parties (*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.**

<b>File # EB-</b> <u>2017-0087</u>	<b>Process:</b> <u>Union Gas 2018 Rates</u>
<b>Party:</b> <u>BOMA</u>	<b>Affiant's Name:</b> <u>Tom Brett</u>
<b>HST Number:</b> <u>R119420859</u>	<b>HST Rate Ontario:</b> <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** Jan. 31/18.  
(date)

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

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



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2017-0087

Process: Union Gas 2018 Rates

Party: BOMA

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	11,649.00
Disbursements	\$	10.89
HST	\$	1,515.79
<b>Total Cost Claim</b>	<b>\$</b>	<b>13,175.68</b>

**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>2017-0087</u>	Process: <u>Union Gas 2018 Rates</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</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;">1971</p> </div> <div style="width: 30%;"> <p>Completed Years Practising/Years of Relevant Experience</p> <p style="border: 1px solid black; text-align: center;">37</p> </div> </div>	
<p>For Consultant/Analyst: <input type="checkbox"/> CV attached <span style="float: right;">Hourly Rate: <span style="border: 1px solid black; padding: 2px 10px;">\$330</span></span></p> <p><input checked="" type="checkbox"/> CV provided within previous 24 months <span style="float: right;">HST Rate Charged (enter %): <span style="border: 1px solid black; padding: 2px 10px;">13.0%</span></span></p>	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	9.40	\$ 330.00	\$ 3,102.00	\$ 403.26	\$ 3,505.26
Responses		\$ 330.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	13.80	\$ 330.00	\$ 4,554.00	\$ 592.02	\$ 5,146.02
Attendance	4.50	\$ 330.00	\$ 1,485.00	\$ 193.05	\$ 1,678.05
Proposal Preparation	3.50	\$ 330.00	\$ 1,155.00	\$ 150.15	\$ 1,305.15
<b>Argument</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation	1.10	\$ 330.00	\$ 363.00	\$ 47.19	\$ 410.19
Attendance	3.00	\$ 330.00	\$ 990.00	\$ 128.70	\$ 1,118.70
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 11,649.00	\$ 1,514.37	\$ 13,163.37

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- 2017-0087

Process: Union Gas 2018 Rates

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:		\$ -	\$ -
<b>TOTAL DISBURSEMENTS:</b>			
	\$ 10.89	\$ 1.42	\$ 12.31

Prebill # 957550 Session: 553316 Bill to: 19/Dec/17

**Client: F1588**  
Fraser & Company

CLIENT LAWYER: Brett, Thomas

MATTER\_LAWYER: Brett, Thomas

LAWYER ON BILL: **Brett, Thomas**

LAST BILL DATE: NONE

**Matter: 175596**

BOMA - EB-2017-0087: Union  
Gas Limited, 2018 Rates  
Application

**FOGLER, RUBINOFF LLP**

PAYOR NAME & ADDRESS

Union Gas Limited  
P.O. Box 2001, 50 Keil Drive North  
Chatham, ON  
N7M 5M1  
Canada  
Attn: Adam Stiers

Page 1

PAYOR: U0267 MT06  
BILL: U0267 MT06

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>
15/Dec/17	Thomas Brett	29.20	9,636.00	[ ] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		29.20	9,636.00	[ ] 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>
19/Oct/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

**FOGLER, RUBINOFF**  
**BILLING STATEMENT TO 19/Dec/17**

Payor/Matter: U0267/**175596**  
 Union Gas Limited  
 BOMA - EB-2017-0087: Union Gas  
 Limited, 2018 Rates Application  
 Prebill No.: 957550  
 Session ID: 553316

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

BILL ADDRESS  
 Union Gas Limited  
 P.O. Box 2001, 50 Keil Drive North  
 Chatham, ON N7M 5M1  
 CANADA

PAYOR DEFAULT ADDRESS  
 P.O. Box 2001, 50 Keil Drive North  
 Chatham, ON  
 N7M 5M1  
  
 Stiers, Adam

**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>
18/Oct/17	3079894	415 TB	1.00	330.00	330.00	Reviewing evidence; Preparing Intervention/Cost Eligibility Request
05/Nov/17	3088309	415 TB	3.00	330.00	990.00	Reviewing evidence; Preparing IRs
06/Nov/17	3091784	415 TB	2.70	330.00	891.00	Preparation of IRs
08/Nov/17	3091786	415 TB	1.50	330.00	495.00	Reviewing evidence; Preparing IRs
10/Nov/17	3091791	415 TB	1.20	330.00	396.00	Revising IRs
22/Nov/17	3103389	415 TB	1.70	330.00	561.00	Reviewing IRRs; Preparing for Settlement Conference
06/Dec/17	3108231	415 TB	0.60	330.00	198.00	Reviewing IGUA's letter; Preparing for Settlement Conference
11/Dec/17	3114559	415 TB	7.20	330.00	2,376.00	Reviewing IRRs; Preparing Settlement Conference
12/Dec/17	3114565	415 TB	3.10	330.00	1,023.00	Reviewing IRRs; Preparing for Settlement Conference
13/Dec/17	3114572	415 TB	1.20	330.00	396.00	Preparation for Settlement Conference
13/Dec/17	3114573	415 TB	4.50	330.00	1,485.00	Attending Settlement Conference
15/Dec/17	3114580	415 TB	1.50	330.00	495.00	Reviewing Settlement Agreement
TOTAL TIME			29.20		9,636.00	

**DETAIL OF UNBILLED DISBURSEMENTS**

<u>DATE</u>	<u>DISB ID</u>	<u>CODE</u>	<u>QUAN</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
19/Oct/17	7502311	7		11.99	10:10 TB Courier: Blizzard# 7655650 ONTARIO ENERGY BOARD-2300 Yonge St-Fatima
TOTAL DISB				11.99	

Prebill # 961725 Session: 556100 Bill to: 19/Jan/18

FOGLER, RUBINOFF LLP

Page 1

Client: F1588

Fraser & Company

CLIENT LAWYER: Brett, Thomas

MATTER\_LAWYER: Brett, Thomas

LAWYER ON BILL: Brett, Thomas

LAST BILL DATE: 19/Dec/17

Matter: 175596

BOMA - EB-2017-0087: Union  
Gas Limited, 2018 Rates  
Application

PAYOR NAME & ADDRESS

Union Gas Limited  
P.O. Box 2001, 50 Keil Drive North  
Chatham, ON  
N7M 5M1  
Canada  
Attn: Adam Stiers

PAYOR: U0267 MT06

BILL: U0267 MT06

ACCOUNT APPROVAL

Thomas Brett

[ ] FINAL BILL: MATTER WILL BE MADE INACTIVE

UNBILLED TIME

LAST ENTRY	TIMEKEEPER	HOURS	AMOUNT	FEE CREDIT ALLOCATION	CODE	INIT
08/Jan/18	Thomas Brett	6.10	2,013.00	[ ] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		6.10	2,013.00	[ ] WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

TRUST SUMMARY – A Trust was not opened on this Matter

MATTER BILLING SNAPSHOT	FEES	DISBURSEMENTS	GST	TOTAL
BILLED TO DATE	9,636.00	11.99	1,254.24	10,902.23
PAID TO DATE	0.00	0.00	0.00	0.00
BILLED WRITE OFFS	0.00	0.00	0.00	0.00
BALANCE DUE	9,636.00	11.99	1,254.24	10,902.23

ACCOUNTS RECEIVABLE SNAPSHOT	DATE	BILL #	TOTAL BILLED	DUE	DAYS O/S	
	19/Dec/17	21718633	10,902.23	10,902.23	43	[ ] WRITE OFF

UNBILLED WRITE OFFS	DATE	W/O #	FEES	DISB
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**FOGLER, RUBINOFF**  
**BILLING STATEMENT TO 19/Jan/18**

Payor/Matter: U0267/**175596**  
 Union Gas Limited  
 BOMA - EB-2017-0087: Union Gas  
 Limited, 2018 Rates Application  
 Prebill No.: 961725  
 Session ID: 556100

LAST BILL DATE: 19/Dec/17  
 LAST BILLED TO DATE: 19/Dec/17  
 FILE LAWYER: Brett, Thomas  
 ASSIGNED LAWYER: Brett, Thomas

BILL ADDRESS  
 Union Gas Limited  
 P.O. Box 2001, 50 Keil Drive North  
 Chatham, ON N7M 5M1  
 CANADA

PAYOR DEFAULT ADDRESS  
 P.O. Box 2001, 50 Keil Drive North  
 Chatham, ON  
 N7M 5M1  
 Stiers, Adam

**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>
18/Dec/17	3116827	415 TB	1.30	330.00	429.00	Reviewing Settlement Agreement and proposed redraft
20/Dec/17	3116870	415 TB	0.30	330.00	99.00	Reviewing Settlement Agreement
21/Dec/17	3119528	415 TB	0.40	330.00	132.00	Reviewing Settlement Proposal revisions
08/Jan/18	3126215	415 TB	1.10	330.00	363.00	Preparation for Hearing
08/Jan/18	3126216	415 TB	3.00	330.00	990.00	Attending Hearing
TOTAL TIME			6.10		2,013.00	

**ACCOUNTS RECEIVABLE HISTORY TO 18/Jan/18**

<u>BILL #</u>	<u>TYPE</u>	<u>DATE</u>	<u>FEES</u>	<u>DISB</u>	<u>TAX</u>	<u>TOTAL</u>	<u>PAYOR</u>	<u>PAYOR/COMMENT</u>	<u>AUDIT</u>
21718633	BL	19/Dec/17	9,636.00	11.99	1,254.24	10,902.23	U0267		2003141
TOTAL OUTSTANDING						\$10,902.23			

AGED A/R AS AT 19/Jan/18				
Total AR	0 – 60 Days	61 – 120 Days	121 - 180 Days	Over 180 Days
\$10,902.23	\$10,902.23	\$0.00	\$0.00	\$0.00

# Fogler Rubinoff

## Blizzard Courier Orders

### 2017.10.19

Created: 20171025 12:30:48 ver: 2.9.27

#	Waybill	Srv Type	Order Time	Pickup Address	DropOff Address	Reff	Received By	\$	Agent
1	765-5486	0	1019 07:39	canada post 222 Bay St	Fogler Rubinoff 77 King St. West	mlr - 999999 Pieces: 2 Lbs: 30 \$4.50	parvin 1019 08:44	12.00	B
2	765-5509	2	1019 08:21	Fogler Rubinoff 77 King St. West	LAURENTIAN BANK OF CANADA 130 Adelaide St W	dfh - 173476	christopher 1019 09:10	4.51	B
3	765-5538	0 Ret	1019 09:17	Fogler Rubinoff 77 King St. West	Garfinkle Biderman LLP 1 Adelaide St E	CRD - 054115	lisa-Barry 1019 10:49	18.04	B
4	765-5542	0 Ret	1019 09:20	Fogler Rubinoff 77 King St. West	ROYAL BANK 200 Bay St	GM - 164453 Pieces: 2	Barry 1019 10:49	15.00	B
5	765-5544	1	1019 09:21	Fogler Rubinoff 77 King St. West	MATTHEW HARRIS 100 Sheppard Ave W (Nort)	MAD - 144365	Christina 1019 11:46	29.15	F
6	765-5559	0	1019 09:37	Fogler Rubinoff 77 King St. West	CHANG SCHOOL/HEASLIP HOUSE 297 Victoria St	LPB - 999999 Lbs: 25 \$3.75	dan.f(reception 1019 10:58	12.77	33
7	765-5647	2	1019 10:52	Fogler Rubinoff 77 King St. West	WEATMOUNT GUARANTEE SERVICE IN 600 Cochrane Dr (Mark)	VW - 175597	12.57time/Aisha 1020 16:26	34.10	96
8	765-5650	4	1019 10:59	Fogler Rubinoff 77 King St. West	ONTARIO ENERGY BOARD 2300 Yonge St	TB - 175596 Pieces: 2	Fatima 1019 13:38	10.89	E
9	765-5669	4	1019 11:14	Fogler Rubinoff 77 King St. West	ONTARIO ENERGY BOARD 2300 Yonge St	TB - 168193	Fatima 1019 13:37	10.89	E
10	765-5725	1	1019 11:54	Fogler Rubinoff 77 King St. West	GOODMANS 333 Bay St	WRM - 164582	paul 1019 12:37	6.05	B
11	765-5792	1	1019 13:25	Fogler Rubinoff 77 King St. West	FTI CONSULTING 79 Wellington St W	MAD - 144374	kate 1019 13:51	6.05	B
12	765-5809	4	1019 13:56	Fogler Rubinoff 77 King St. West	TRINITY DEV 3250 Bloor St W (Etob)	JBG - 143815	Pat 1020 09:10	10.89	93
13	765-5810	4	1019 13:58	Fogler Rubinoff 77 King St. West	DESIGN SCIENCE CORP 1550 Kingston Rd (Pick)	CRD - 141835	rolah 1020 08:37	15.40	33
14	765-5815	0 Ret	1019 14:11	Fogler Rubinoff 77 King St. West	BANK OF SCOTIA 40 King St W	RMR - 175795	dalia-parvin 1019 15:05	15.00	B
15	765-5849	4	1019 14:50	Fogler Rubinoff 77 King St. West	mrrobert peccia 253 Oxford St (Rich)	smg - 999999	Fdoor 1020 08:35	16.78	22
16	765-5888	4	1019 15:33	Fogler Rubinoff 77 King St. West	BVGLAZING SYSTEMS INC 131 Caldari Rd (Conc)	CRD - 136860 Pieces: 2 Lbs: 40 \$6.00	kelly 1020 13:03	22.78	69
17	765-5892	2 (nd)	1019 15:36	Fogler Rubinoff 77 King St. West	homEquity bank 1881 Yonge St	RMR - 175795	anne 1020 08:56	13.75	Y
18	765-5895	2 (nd)	1019 15:39	Fogler Rubinoff 77 King St. West	FIRSTSERVICE CORPORATION 1140 Bay St	CRD - 171039	deanna 1020 10:02	4.51	666
19	765-5911	0 Ret	1019 15:52	Fogler Rubinoff 77 King St. West	TORONTO DOMINION BANK 55 King St W	ACC - 999999	Good night 1019 17:37	15.00	B
20	765-5949	2 (nd)	1019 16:30	Fogler Rubinoff 77 King St. West	Abrahamse Berkis Pinto LLP 2 St Clair Ave W	SS - 133825	matens 1020 09:05	8.25	Y
21	765-5966	3 (nd)	1019 16:59	Fogler Rubinoff 77 King St. West	PANAGO PIZZA 109 ATLANTIC AVE	SAC - 168081	Alexandra 1020 11:34	9.08	26
22	765-5972	3 (nd)	1019 17:39	CONCIERGE 66 Collier St	BRIARLANE RENTAL PROP 85 Spy Crt (Mark)	SHS - 144412	mariana 1020 15:49	26.68	96
SubTotal								317.57	
HST								41.28	
Download report for this date range								<b>Total</b>	<b>358.85</b>