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July 26, 2018

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 177214

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-2017-0323: Union Gas Limited,
2015 Disposition of DSM Deferral and Variance Accounts**

Please find enclosed herewith BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett

TB/dd

Encls.

cc: Valerie Bennett, OEB (*via email*)
Adam Stiers, Union Gas (*via email*)
Miriam Seers, Torys (*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>2017-0323</u>	Process: <u>Union 2015 DSM</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 July 23/18,
(date)



Commissioner for taking Affidavits

**Teodora Pripa, a Commissioner, etc.,
Province of Ontario, while a Student-at-Law.
Expires June 13, 2021.**

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2017-0323

Process: Union 2015 DSM

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	3,828.00
Disbursements	\$	-
HST	\$	497.64
Total Cost Claim	\$	4,325.64

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>2017-0323</u>	Process: <u>Union 2015 DSM</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	37
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		

Hourly Rate: \$330
For Consultant/Analyst: <input type="checkbox"/> CV attached
<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	0.25	\$ 330.00	\$ 82.50	\$ 10.73	\$ 93.23
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	0.85	\$ 330.00	\$ 280.50	\$ 36.47	\$ 316.97
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 363.00	\$ 47.19	\$ 410.19

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2017-0323

Process: Union 2015 DSM

Party: BOMA

Service Provider Name: Tom Brett

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:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2017-0323</u>	Process: <u>Union 2015 DSM</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Marion Fraser</u>

SERVICE PROVIDER TYPE (check one) 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 <div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>	Completed Years Practising/Years of Relevant Experience <div style="border: 1px solid black; width: 150px; height: 20px; display: flex; align-items: center; justify-content: center;">37</div> Hourly Rate: <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center; justify-content: center;">\$330</div> HST Rate Charged (enter %): <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center; justify-content: center;">13.0%</div>
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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	8.00	\$ 330.00	\$ 2,640.00	\$ 343.20	\$ 2,983.20
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	2.50	\$ 330.00	\$ 825.00	\$ 107.25	\$ 932.25
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 3,465.00	\$ 450.45	\$ 3,915.45

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2017-0323

Process: Union 2015 DSM

Party: BOMA

Service Provider Name: Marion Fraser

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:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Prebill # 988756 Session: 573575 Bill to: 16/Jul/18

Client: F1588
Fraser & Company

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

Matter: 177214
BOMA - EB-2017-0323: Union
Gas Limited, 2015 Disposition of
Demand Side Management
Deferral and Variance Accounts

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

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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>
27/Apr/18	Thomas Brett	1.10	363.00	<input type="checkbox"/> AS DOCKETED	415	TB
TOTAL UNBILLED FEES		1.10	363.00	<input type="checkbox"/> WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: U0267/**177214**
Union Gas Limited
BOMA - EB-2017-0323: Union Gas
Limited, 2015 Disposition of Demand
Side Management Deferral and Variance
Accounts
Prebill No.: 988756
Session ID: 573575

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>
08/Mar/18	3158711	415 TB	0.25	330.00	82.50	Reviewing IRs and filing
08/Mar/18	3158713	415 TB	0.60	330.00	198.00	Reviewing evidence
27/Apr/18	3189832	415 TB	0.25	330.00	82.50	Reviewing and filing Written Submission
TOTAL TIME			1.10		363.00	

MARION FRASER DOCKET

EB-2017-0323 DSM Variances Union	BOMA
Board File Number	Party Name

				Fraser & Company			Argument	Total
Date	Explanation	Consultant	Preparation	Attendance TC	Attendance SC	Attendance OH		
2/22/2018	Application Review	MEF	5					5
3/7/2018	Drafting Interrogatories	MEF	1					1
3/8/2018	Finalizing IRS	MEF	1					1
4/6/2018	Review IRRs	MEF	1					1
4/26/2018	Review AIC	MEF					1	1
4/27/2018	Drafting Argument	MEF					1	1
5/8/2018	Review reply Argument	MEF					0.5	0.5
Total			8	0	0	0	2.5	10.5