

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF a Notice of Intention to Make an Order for Compliance and Payment of an Administrative Penalty against Planet Energy (Ontario) Corp. (ER-2011-0409) (GM-2013-0269)

**BILL OF COSTS OF
THE OEB ENFORCEMENT TEAM**

STOCKWOODS LLP BARRISTERS

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Lawyers for the OEB Enforcement Team

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Lawyers for Planet Energy

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BILL OF COSTS

STATEMENT OF EXPERIENCE

A Claim for fees is being made with respect to the following lawyers:

<u>Name of Lawyer</u>	<u>Years of Experience</u>
Andrea Gonsalves	12
Justin Safayeni	8

I. Pre-hearing Preparation and Hearing Management:			
a) Meeting with and preparing witnesses:			
Telephone conversations and correspondence with witnesses; preparing, reviewing and revising witness statements; preparing examination outlines; meeting with witnesses; witness preparation sessions.			
	Hours	Partial Indemnity Rate	Actual Rate
Andrea Gonsalves	10.1	@ \$240.00=\$2,424.00	@ \$400.00=\$4,040.00
Justin Safayeni	34.3	@ \$180.00=\$6,174.00	@ \$300.00=\$10,290.00
TOTAL:		\$8,598.00	\$14,330.00
b) Reviewing Documents:			
Reviewing documents and evidence provided by Planet Energy; reviewing documents and evidence provided by Board the Enforcement Team; reviewing documents and evidence provided by witnesses.			
	Hours	Partial Indemnity Rate	Actual Rate
Justin Safayeni	13.1	@ \$180.00=\$2,358.00	@ \$300.00=\$3,930.00
TOTAL:		\$2,358.00	\$3,930.00

c) Correspondence (including disclosure requests):			
Communications with clients; in-office communications; telephone conversations and correspondence between counsel regarding various hearing-related issues; responding to Planet Energy disclosure requests.			
	Hours	Partial Indemnity Rate	Actual Rate
Andrea Gonsalves	11.6	@ \$240.00=\$2,784.00	@ \$400.00=\$4,640.00
Justin Safayeni	23.0	@ \$180.00=\$4,140.00	@ \$300.00=\$6,900.00
TOTAL:		\$6,924.00	\$11,540.00
d) Preparing for hearing/opening:			
Drafting and revising agreed statement of facts; preparing pre-hearing conference memo; assembling pre-hearing conference materials; reviewing Planet Energy's pretrial conference memorandum; preparing for pre-hearing conference; attending pre-hearing conference on July 11, 2017; reviewing Planet Energy's changes to pre-hearing conference report; revising agreed statement of facts; reviewed revised draft agreed chronology; review notice of inspection; reviewed pre-hearing conference report; review and revise further agreed statement of facts; office conference re: hearing preparation; reviewing case law; reviewing Planet Energy witness statements and disclosure; preparing for hearing.			
	Hours	Partial Indemnity Rate	Actual Rate
Andrea Gonsalves	57.4	@ \$240.00=\$13,776.00	@ \$400.00=\$22,960.00
Justin Safayeni	43.5	@ \$180.00=\$7,830.00	@ \$300.00=\$13,050.00
TOTAL:		\$21,606.00	\$36,010.00
II. Hearing Attendance and Preparation:			
Preparing for hearing; drafting opening submissions; preparing for and attending hearing on November 14, 16, 17, 27 and 28, 2017; reviewing audio files; emails and telephone conversations with witness; preparing and reviewing correspondence between counsel; reviewing notice and transcripts; preparing for cross-examinations.			
	Hours	Partial Indemnity Rate	Actual Rate
Andrea Gonsalves	52.1	@ \$240.00=\$12,504.00	@ \$400.00=\$20,840.00
Justin Safayeni	83.8	@ \$180.00=\$15,084.00	@ \$300.00=\$25,140.00
TOTAL:		\$27,588.00	\$45,980.00
III. Closing Submissions:			
a) Drafting and Researching Written Submissions:			
Drafting closing submissions; in-office communications; legal research; communications with client			
	Hours	Partial Indemnity Rate	Actual Rate
Andrea Gonsalves	8.9	@ \$240.00=\$2,136.00	@ \$400.00=\$3,560.00
Justin Safayeni	65.4	@ \$180.00=\$11,772.00	@ \$300.00=\$19,620.00
TOTAL:		\$13,908.00	\$23,180.00

b) Preparing for and Presenting Oral Closing Submissions:			
Reviewing Planet Energy submissions; preparing compendium; reviewing Planet Energy's book of authorities; preparing outline for oral argument; preparing supplementary book of authorities; preparing for closing submissions; and attending closing submissions on January 11, 2018.			
	Hours	Partial Indemnity Rate	Actual Rate
Andrea Gonsalves	17.0	@ \$240.00=\$4,080.00	@ \$400.00=\$6,800.00
Justin Safayeni	23.9	@ \$180.00=\$4,302.00	@ \$300.00=\$7,170.00
TOTAL:		\$8,382.00	\$13,970.00

DISBURSEMENTS:	
The Printing House	\$3,247.32
Federal Express	\$37.03
Languages Etcetera	\$187.50
United Messengers	\$112.47
Photocopies	\$779.80
TOTAL DISBURSEMENTS	\$4,364.12

SUMMARY OF FEES & DISBURSEMENTS	PARTIAL INDEMNITY RATE	ACTUAL RATE
Fees	\$89,364.00	\$148,940.00
HST on Fees	\$11,617.32	\$19,362.20
Disbursements	\$4,364.12	\$4,364.12
HST on Disbursements	\$567.34	\$567.34
TOTAL BILL OF COSTS	\$105,912.78	\$173,233.66

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