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November 13, 2018

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 183367

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-2018-0131: Enbridge Gas Distribution Inc.,
2017 ESM and Deferral & Variance Accounts**

Please find enclosed herewith BOMA's Cost Claim.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd

cc: Lawrie Gluck, OEB (*via email*)
Michael Millar, OEB (*via email*)
Andrew Mandyam, EGD (*via email*)
David Stevens, Aird & Berlis (*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>2018-0131</u>	Process: <u>EGD 2017 ESM DVA</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 NOV. 13/18.
(date)


Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2018-0131

Process: EGD 2017 ESM DVA

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	9,735.00
Disbursements	\$	10.89
HST	\$	923.77
Total Cost Claim	\$	10,669.66

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: Attn: Debbie Dey

77 King Street West, Suite 3000

P.O. Box 95, TD Centre North Tower

Toronto, ON M5K 1G8

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2018-0131</u>	Process: <u>EGD 2017 ESM DVA</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>

SERVICE PROVIDER TYPE (check one) Legal Counsel <input checked="" type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst <input type="checkbox"/>	Year Called to Bar <div style="border: 1px solid black; padding: 2px; text-align: center;">1971</div>	Completed Years Practising/Years of Relevant Experience <div style="border: 1px solid black; padding: 2px; text-align: center;">38</div>	Hourly Rate: <div style="border: 1px solid black; padding: 2px; text-align: center;">\$330</div>
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For Consultant/Analyst: <input type="checkbox"/> CV attached <input checked="" type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px; text-align: center;">13.0%</div>
---	---

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	20.80	\$ 330.00	\$ 6,864.00	\$ 892.32	\$ 7,756.32
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation	0.70	\$ 330.00	\$ 231.00	\$ 30.03	\$ 261.03
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 7,095.00	\$ 922.35	\$ 8,017.35

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2018-0131

Process: EGD 2017 ESM DVA

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

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2018-0131</u>	Process: <u>EGD 2017 ESM DVA</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;">38</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;">0.0%</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		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance	8.00	\$ 330.00	\$ 2,640.00	\$ -	\$ 2,640.00
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			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 2,640.00	\$ -	\$ 2,640.00

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2018-0131

Process: EGD 2017 ESM DVA

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 # 1005021 Session: 583507 Bill to: 25/Oct/18

Client: F1588

Fraser & Company

Matter: 183367

BOMA - EB-2018-0131: Enbridge
Gas Distribution Inc., 2017
Earnings Sharing Mechanism and
Other Deferral And Variance
Accounts Clearance Review

CLIENT LAWYER: Brett, Thomas

MATTER_LAWYER: Brett, Thomas

LAWYER ON BILL: Brett, Thomas

LAST BILL DATE: NONE

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS

Enbridge Gas Distribution Inc.

500 Consumers Road

Toronto, ON

M2J 1P8

Canada

Attn: Lorraine Chiasson

Page 1

PAYOR: E0685 MT08

BILL: E0685 MT08

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>
25/Sep/18	Thomas Brett	21.50	7,095.00	[] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		21.50	7,095.00	[] 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>
01/Aug/18	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/**183367**
 Enbridge Gas Distribution Inc.
 BOMA - EB-2018-0131: Enbridge Gas
 Distribution Inc., 2017 Earnings Sharing
 Mechanism and Other Deferral And
 Variance Accounts Clearance Review
 Prebill No.: 1005021
 Session ID: 583507

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
 Chiasson, Lorraine

DETAIL OF UNBILLED TIME

DATE	TIME ID	TIMEKEEPER	HOURS	RATE	AMOUNT	DESCRIPTION
14/Aug/18	3250592	415 TB	1.20	330.00	396.00	Reviewing evidence
20/Aug/18	3252880	415 TB	2.50	330.00	825.00	Reviewing evidence
21/Aug/18	3252884	415 TB	1.50	330.00	495.00	Reviewing evidence
22/Aug/18	3255436	415 TB	1.50	330.00	495.00	Reviewing evidence
23/Aug/18	3255440	415 TB	1.60	330.00	528.00	Reviewing evidence
24/Aug/18	3255445	415 TB	6.40	330.00	2,112.00	Reviewing evidence
26/Aug/18	3255448	415 TB	2.40	330.00	792.00	Reviewing evidence
27/Aug/18	3256938	415 TB	3.20	330.00	1,056.00	Reviewing evidence; Preparing IRs
28/Aug/18	3256940	415 TB	0.50	330.00	165.00	Finalizing IRs
25/Sep/18	3274640	415 TB	0.70	330.00	231.00	Reviewing EGD Settlement Agreement
TOTAL TIME			21.50		7,095.00	

DETAIL OF UNBILLED DISBURSEMENTS

DATE	DISB ID	CODE	QUAN	AMOUNT	DESCRIPTION
01/Aug/18	7859613	7		11.99	13:08 TB Courier: Blizzard# 7770581 Ontario Energy Baord- 2300 Yonge St-Pat
TOTAL DISB				11.99	

Aug 1 to Aug 17

Blizzard Courier Orders

Date Range: 2018-08-01 to 2018-08-01 Inclusive

Customer:

Fogler Rubinfoff

77 King St. West Toronto M5K 1G8

Created: Thursday 23rd of August 2018 12:20:02 PM

#	Waybill	ST	Order Time	Pick Up Address	Drop Off Address	Received By	Reference #	Price	HST	Total
1	<u>7770245</u> pick up mall at 8:15am reg-run: 08:00	0	18-08-01 07:31	canada post 222 Bay St Toronto M5J 2W4	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8 30 lbs \$4.50	Parvin 18-08-01 08:54	999999 mlr	13.52	1.76	15.28
2	<u>7770303</u>	0	18-08-01 08:41	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	first national 100 University Ave Toronto M5J 1V6	Tammy 18-08-01 09:23	182848 RMR	9.02	1.17	10.19
3	<u>7770305</u>	1	18-08-01 08:43	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	MINDEN GROSS 145 King St W Toronto M5H 4G2	Grace 18-08-01 09:25	999999 JBG	6.05	0.79	6.84
4	<u>7770342</u>	1	18-08-01 09:29	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	Wiffen Litigation Professional C 181 University Ave Toronto M5H 3M7	Didi 18-08-01 09:52	151759 KWM	6.05	0.79	6.84
5	<u>7770350</u> GET SIGN FROM SECURITY OR CONCIERGE OR KNOCK ON THE DOOR IF CAN GO IN SIDE	0	18-08-01 09:37	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	OLENA BOGATYROVA 5 Parkway Forest Dr North York M2J 1L2	Olena 18-08-01 11:25	183162 DET	43.73	5.68	49.41
6	<u>7770369</u> ASAP PL	0	18-08-01 09:57	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	cibc investors edge 22 Front St W, Toronto Toronto M5J 2W5	Ravi 18-08-01 10:48	002767 MHA	9.02	1.17	10.19
7	<u>7770378</u>	0	18-08-01 10:13	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	STIKEMAN ELIOTT 199 Bay St Toronto M5L 1B9	Kay 18-08-01 10:48	183470 MLM	9.02	1.17	10.19
8	<u>7770503</u>	0	18-08-01 11:56	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	SCOTIA BANK 40 King St W Toronto M5H 3C2 RET \$7.50	Celia 18-08-01 13:58	183069 RMR	15.00	1.95	16.95
9	<u>7770505</u>	0	18-08-01 11:57	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	TD BANK 55 King St W Toronto M5K 1A2 RET \$7.50	Jessica-Barry/Jessica-Barry 18-08-01 15:12	183069 RMR	15.00	1.95	16.95
10	<u>7770520</u>	0	18-08-01 12:12	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	TORKIN MANES 151 Yonge St Toronto M5G 2W7	Tony 18-08-01 12:55	181561 OS	9.02	1.17	10.19
11	<u>7770570</u>	0	18-08-01 13:11	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	SCOTIA BANK 40 King St W Toronto M5H 3C2 RET \$7.50		183793 RMR	15.00	1.95	16.95
12	<u>7770581</u> BY 4:30 PL	4	18-08-01 13:30	Fogler Rubinfoff 77 King St. West Toronto M5K 1G8	Ontario Energy Baord 2300 Yonge St Toronto M4P 1E4	Pat 18-08-02 09:37	183367 TB	10.89	1.42	12.31
13	<u>7770598</u> BY NOON PL	2 ND	18-08-01 14:06	Fogler Rubinfoff 77 King St.	ROYAL BANK 10 York Mills Rd	Leon 18-08-02 08:32	183793 RMR	16.50	2.15	18.65

MARION FRASER DOCKET

EB-2018-0131

Board File Number

BOMA

Party Name _____

Fraser & Company

Date	Explanation	Consultant	Preparation	Attendance TC	Attendance SC	Attendance OH	Argument	Total
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9/20/2018 Attendance by Phone	6	
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9/21/2018 Attendance by Phone	2	
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Total	0	8	0	0	0	8
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