



Direct Dial: 416.862.4825  
File: 7178

Sent by Electronic Mail and RESS Filing

February 22, 2019

Ontario Energy Board  
2300 Yonge Street  
Suite 2700  
Toronto, ON M4P 1E4

Attention: Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: LIEN's Cost Claim – DSM Mid-Term Review  
Board File Nos. EB-2017-0127 and EB -2017-0128**

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Please find enclosed LIEN's cost claim pursuant to the Notice of Hearing for cost Awards dated February 7, 2019, in the above-noted matter.

Yours truly,

Matt Gardner

Enclosure

Document #: 1495265

**Ontario Energy Board  
COST CLAIM FOR CONSULTATIONS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation 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 Notice of Hearing for Cost Awards. Please ensure all required 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 present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" 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 must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- **Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

File #	<u>EB- 2017-0127 &amp; EB-2017-0128</u>	Process:	<u>Natural Gas DSM Framework Mid-Term Review</u>
Party:	<u>Low Income Energy Network</u>	Affiant's Name:	<u>Matthew Gardner</u>
HST Number:	<u>113627988RT0001</u>	HST Rate Ontario:	<u>13.0%</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, Matthew Gardner, of the City/Town of Burlington  
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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement 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 February 22, 2019  
(date)

Ontario Energy Board  
COST CLAIM FOR CONSULTATIONS



Affidavit and Summary of Fees and Disbursements

Louie Vargas, a Commissioner, etc.,  
Province of Ontario, for Willms & Shier,  
Environmental Lawyers LLP.  
Expires November 2, 2018.

Commissioner for taking Affidavits

File # EB- 2017-0127 & EB-2017-0128

Process: Natural Gas DSM Framework Mid-Term Review

Party: Low Income Energy Network

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$3,306.00
Disbursements	\$35.25
HST	\$434.36
<b>Total Cost Claim</b>	<b>\$3,775.61</b>

Payment Information

Make cheque payable to: Willms & Shier Environment Lawyers LLP

Send payment to this address: 1 Toronto Street  
Suite 900  
Toronto, ON M5C 2V6

Detail of Fees and Disbursements Being Claimed

Statement of Fees Being Claimed

Statement of Fees being claimed for Eligible Activity is found on the third tab of this workbook.

Statement(s) of Disbursements Being Claimed

Statement of Disbursements being claimed is found on the fourth tab of this workbook.

# Ontario Energy Board



## COST CLAIM FOR CONSULTATIONS

### Affidavit and Summary of Fees and Disbursements

#### Individual Whose Costs are Being Claimed

Name: Matthew Gardner

	Year Called to Bar	Completed Years Practicing/Years of Relevant Experience
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	<u>2010</u>	<u>9</u>
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: Judy Simon

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>		
Analyst/Consultant: <input checked="" type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: \_\_\_\_\_

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>		
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: \_\_\_\_\_

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>		
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: \_\_\_\_\_

	Year Called to Bar	Completed Years Practicing/Years of relevant experience
Counsel/Articling Student/Paralegal: <input type="checkbox"/>		
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Fees Being Claimed**



File # EB- 2017-0127 & EB-2017-0128

Process Natural Gas DSM Framework Mid-Term Review

Party Low Income Energy Network

HST Rate: 13%

Individual Whose Fees are Being Claimed	Activity	1	2	3	Subtotal	HST	Total
		Written comments on the two specific issues identified in Part 1 of the Review – September 1, 2017 <i>Up to 8 Hours</i>	Preparation for, attendance at, a Stakeholder Meeting – September 6 & 7, 2018 <i>Up to 20 Hours</i>	Written comments following Stakeholder Meeting – September 28, 2018 <i>Up to 12 Hours</i>			
Matthew Gardner	\$170.00	2.00		5.80	\$1,326.00	\$172.38	\$1,498.38
Judy Simon	\$330.00	6.00			\$1,980.00	\$257.40	\$2,237.40
0					\$0.00	\$0.00	\$0.00
0					\$0.00	\$0.00	\$0.00
0					\$0.00	\$0.00	\$0.00
					<b>\$3,306.00</b>	<b>\$429.78</b>	
<b>Total legal/consultant fees:</b>							<b>\$3,735.78</b>

Time Listing  
Jun/30/2017 To Oct/ 2/2018

Lwyr Date Entry #	Lawyer Matter	Client Matter Description Explanation	Expl Code	Hours	Rate	Total
53 Jun 30/2017 2010534 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) finalize and email LIEN legal subcommittee (M. Todorow, Z. Bhanji, K. Hale, T. McClenaghan, J. Simon, J. Lopinski) proposal for LIEN to intervene in DSM Mid-Term Review and request instructions;		0.20	170.00	34.00
53 Jul 4/2017 2010539 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) receive instructions from M. Todorow, J. Lopinski and T. McClenaghan to file intervention request letter for LIEN with OEB; finalize LIEN's intervention request letter;		0.20	170.00	34.00
53 Jul 28/2017 2010541 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) phone call with J. Simon to discuss how to approach Part 1 written submission;		0.10	170.00	17.00
53 Aug 23/2017 2010543 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) phone call with J. Simon to discuss progress and strategy in response to Board's two questions for first phase of DSM Mid Term Review;		0.10	170.00	17.00
53 Aug 30/2017 2010546 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) revise submission to Board answering two questions posed by Board for Phase 1 of DSM Mid-Term Review proceeding; email to J. Simon for final comments;		1.10	170.00	187.00
53 Aug 31/2017 2010548 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) receipt of email from J. Simon re final comments and email LIEN legal subcommittee draft submission re part 1 of DSM Mid-Term Review and request comments and instructions to file by tomorrow with Board;		0.10	170.00	17.00
53 Sep 1/2017 2010550 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) communications with M. Todorow and J. Simon re M. Todorow's comments and questions re LIEN's draft submission re Part 1 of DSM Mid-Term Review; instructions to N. Petersen and T. Sebastian to finalize and file submission with Board; report to LIEN legal subcommittee by email;		0.20	170.00	34.00
53 Sep 27/2018 1971962 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) review Union and Enbridge's submissions from September 2017, October 2017 and January 2018, Union and Enbridge's presentation materials from stakeholder's conference, notes from stakeholder's conference and Enbridge's submission filed earlier this week; prepare outline of LIEN's submission;		1.80	170.00	306.00
53 Sep 28/2018 1971959 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) prepare LIEN's submission re DSM-Mid -Term Review; review Union's final submission filed today and consider and incorporate comments in response into LIEN's submission; review Environmental Defence/Green Energy Coalition's submission; phone call with S. Grice (VECC) re draft submission; finalize and instruct filing of submission; email LIEN legal subcommittee (M. Todorow, Z. Bhanji, J. Lopinski, T. McClenaghan) LIEN's submission filed with Board today and summary of anticipated next steps in DSM proceeding;		3.80	170.00	646.00
53 Oct 2/2018 1973116 No Hold	MATTHEW GARDNER 7178	<b>Low Income Energy Network</b> Re: DSM Mid-Term Review (EB-2017-0127 and EB-2017-0128) emails with M. Todorow copying rest of LIEN legal subcommittee re strategy for pursuing further/new low-income offerings and timing with Enbridge and Union within this or in planning for next DSM plan period;		0.20	170.00	34.00

\*\*\* Summary by Task Code \*\*\*

Task Code	Hours	Amount
NGO - Non-Government Organization - Other	7.80	1326.00
<b>Total Billable</b>	<b>7.80</b>	<b>1326.00</b>
<b>Total:</b>	<b>7.80</b>	<b>1326.00</b>

\*\*\* Summary by Working Lawyer \*\*\*

Working Lawyer	Hours	Amount
53 - MATTHEW GARDNER	7.80	1326.00

Client Ledger

To Feb/ 1/2019

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	General		Fees	Bld		Trust Activity		Balance
			Repts	Disbs		Inv#	Acc	Repts	Disbs	
1052	Low Income Energy Network									
7178	Re: DSM Mid-Term Review (EB-2017-0127 and EB									
Jul 5/2017										Resp Lawyer: JA
1845722	Photocopies				0.50					
Jul 5/2017										
1845799	Photocopies				0.50					
Jul 5/2017										
1845800	Photocopies				3.00					
Jul 5/2017										
1845817	Photocopies				0.25					
Sep 22/2017										
1867407	Photocopies				0.50					
Sep 22/2017										
1867408	Photocopies				1.75					
Sep 22/2017										
1867409	Photocopies				2.00					
Sep 22/2017										
1867410	Photocopies				11.00					
Sep 22/2017										
1867411	Photocopies				0.25					
Sep 22/2017										
1867412	Photocopies				0.50					
May 4/2018	Prints									
1935205	Photocopies				0.25					
May 4/2018	Prints									
1935206	Photocopies				0.25					
May 4/2018	Prints									
1935210	Photocopies				0.25					
May 4/2018	Prints									
1935216	Photocopies				0.25					
May 4/2018	Prints									
1935220	Photocopies				0.50					
May 4/2018	Prints									
1935399	Photocopies				1.25					
May 4/2018	Prints									
1935400	Photocopies				3.75					
May 4/2018	Prints									
1935402	Photocopies				0.25					
May 4/2018	Prints									
1935404	Photocopies				0.25					
May 4/2018	Prints									
1935406	Photocopies				1.25					
May 4/2018	Prints									
1935407	Photocopies				0.25					
May 4/2018	Prints									
1935410	Photocopies				0.25					
Oct 1/2018	Prints									
1976186	Photocopies				2.00					
Oct 1/2018	Prints									
1976187	Photocopies				4.00					
Oct 1/2018	Prints									
1976191	Photocopies				0.25					

TOTALS	UNBILLED				= TOTAL	BILLED				BALANCES	
	CHE	+	RECOV	+ FEES		DISBS	+	FEES	+ TAX	- RECEIPTS	= A/R
PERIOD	0.00		35.25	1326.00	1361.25	0.00	0.00	0.00	0.00	0.00	0.00
END DATE	0.00		35.25	1326.00	1361.25	0.00	0.00	0.00	0.00	0.00	0.00

FIRM TOTAL	UNBILLED				= TOTAL	BILLED				BALANCES	
	CHE	+	RECOV	+ FEES		DISBS	+	FEES	+ TAX	- RECEIPTS	= A/R
PERIOD	0.00		35.25	1326.00	1361.25	0.00	0.00	0.00	0.00	0.00	0.00
END DATE	0.00		35.25	1326.00	1361.25	0.00	0.00	0.00	0.00	0.00	0.00

REPORT SELECTIONS - Client Ledger

Layout Template Default  
Advanced Search Filter ~LastFilter~  
Requested by Grace Lu  
Finished Thursday, February 21, 2019 at 11:36:43 AM  
Ver 14.1 (14.1.20150324)  
Matters 7178  
Clients All  
Major Clients All  
Client Intro Lawyer All  
Matter Intro Lawyer All  
Responsible Lawyer All  
Assigned Lawyer All  
Type of Law All  
Select From Active, Inactive, Archived Matters  
Matters Sort by Default  
New Page for Each Lawyer No  
New Page for Each Matter No  
No Activity Date Dec/31/2199  
Firm Totals Only No  
Totals Only No  
Entries Shown - Billed Only No  
Entries Shown - Disbursements Yes  
Entries Shown - Receipts No  
Entries Shown - Time or Fees No  
Entries Shown - Trust No

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Disbursements Being Claimed**



File # EB-	<u>2017-0127 &amp; EB-2017-0128</u>	Process: <u>Natural Gas DSM Framework Mid-Term Review</u>
Party:	<u>Low Income Energy Network</u>	

Name of individual whose disbursements are being claimed: Matthew Gardner

**HST Rate Ontario: 13.0%**

	Net Cost	HST	Total
Scanning/Photocopy	\$35.25	\$4.58	\$39.83
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>	<b>\$35.25</b>	<b>\$4.58</b>	<b>\$39.83</b>



Judy Simon Time Docket for LIEN: EB-2017-0127; EB-2017-0128

Prepare Submission to Ontario Energy Board on Issue 2: Attribution of Costs and Savings

Date	Task	Hours
August 27, 2017	Research and Prepare Draft of Issue 2 Response	2
August 28, 2017	Fine Tune Draft and Submit to Client for Review	2
September 1, 2017	Revise Issue 2 and Finalize Based on Client Feedback	2
Total		6.0 hours