



Direct Dial: 416.862.4825
File: 6833

Sent by Electronic Mail and RESS Filing

February 28, 2019

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

Attention: Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Northwatch Cost Claim
Regional Planning and Cost Responsibility Review
OEB File No. EB-2016-0003**

Please find enclosed Northwatch's cost claim pursuant to the Notice of Hearing dated February 14, 2019, in the above-noted matter.

Yours truly,

Matt Gardner

Enclosure

Document #: 1497489

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 # EB- <u>2016-0003</u>	Process: <u>Regional Planning and Cost Allocation</u>
Party: <u>Northwatch</u>	Affiant's Name: <u>Matthew Gardner</u>
HST Number: <u>113627988RT00011</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, 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 28, 2019
(date)

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS



Affidavit and Summary of Fees and Disbursements



Commissioner for taking Affidavits

Joseph King Yue Ng, a Commissioner, etc.,
Province of Ontario, for Willms & Shier
Environmental Lawyers LLP.
Expires October 29, 2019.

File # EB- 2016-0003

Process: Regional Planning and Cost Allocation

Party: Northwatch

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$4,509.00
Disbursements	\$7.50
HST	\$587.15
Total Cost Claim	\$5,103.65

Payment Information

Make cheque payable to: Willms & Shier Environmental Lawyers

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 second tab of this workbook.

Statement(s) of Disbursements Being Claimed

Statement of Disbursements being claimed is found on the third 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: Julie Abouchar

Counsel/Articling Student/Paralegal: ☒

Analyst/Consultant: ☐

CV attached: ☐

Year Called
to Bar

1994

CV not required: ☐

Completed Years
Practicing/Years of Relevant
Experience

25

Name: Matthew Gardner

Counsel/Articling Student/Paralegal: ☒

Analyst/Consultant: ☐

CV attached: ☐

Year Called
to Bar

2010

CV not required: ☐

Completed Years
Practicing/Years of relevant
experience

9

Name: Nicole Petersen

Counsel/Articling Student/Paralegal: ☒

Analyst/Consultant: ☐

CV attached: ☐

Year Called
to Bar

2014

CV not required: ☐

Completed Years
Practicing/Years of relevant
experience

5

Name: Brennain Lloyd

Counsel/Articling Student/Paralegal: ☐

Analyst/Consultant: ☒

CV attached: ☒

Year Called
to Bar

Completed Years
Practicing/Years of relevant
experience

CV not required: ☐

Name:

Counsel/Articling Student/Paralegal: ☐

Analyst/Consultant: ☐

CV attached: ☐

Year Called
to Bar

Completed Years
Practicing/Years of relevant
experience

CV not required: ☐

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



File # EB- 2016-0003

Process Regional Planning and Cost Allocation

Party Northwatch

HST Rate: 13%

		{activity 1} Working Group (Meeting time ¹ & Preparation ² x 3)	{activity 2} Written comments on Proposed Code Amendments	{activity 3} Preparation for and attendance at Stakeholder Meeting	{activity 4} Written comments on Revised Proposed Code Amendments			
		Eligible Participant	Eligible Participant	Eligible Participant	Eligible Participant			
Individual Whose Fees are Being Claimed	Hourly rate	Up to 24 hours	Up to 20 hours	Up to 10 hours	Up to 10 hours	Subtotal	HST	Total
Julie Abouchar	\$330.00		0.20			\$66.00	\$8.58	\$74.58
Matt Gardner	\$170.00		3.70		1.40	\$867.00	\$112.71	\$979.71
Nicole Petersen	\$170.00		7.80			\$1,326.00	\$172.38	\$1,498.38
Brennain Lloyd	\$225.00	10.00				\$2,250.00	\$292.50	\$2,542.50
						\$0.00	\$0.00	\$0.00
Totals:						\$4,509.00	\$586.17	
						Total legal/consultant fees: \$5,095.17		

¹ Meeting time for Working Group – Meeting #1 (3 hours), Meeting #2 (6 hours), Meeting #3 (6 hours).

² Preparation & Reporting for Working Group – Up to 3 hours.

File # EB-

Lwyr Date Entry #	Lawyer Matter	Client Matter Description Explanation	Law Type	Hours	Rate	Total
58 Jan 11/2016 1666665 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 drafting language for letter requesting intervention costs for EB-2016-0003; review of new rules and report to M. Gardner re same;	110	1.40	170.00	238.00
53 Jan 13/2016 1667528 No Hold	MATTHEW GARDNER 6833	Northwatch Re: EB-2016-0003 prepare intervention request letter for Northwatch and email to B. Lloyd for review; receipt of B. Lloyd's comments and revise letter and instruct T. Sebastian re filing;	110	1.20	170.00	204.00
31 Jan 13/2016 1667573 No Hold	JULIE ABOUCHAR 6833	Northwatch Re: EB-2016-0003 review request for intervenor status and eligibility for cost awards;	110	0.20	330.00	66.00
58 Jan 13/2016 1667611 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 revise letter with request to intervene and send updated draft to M. Gardner for review;	110	0.60	170.00	102.00
53 Jan 19/2016 1742304 No Hold	MATTHEW GARDNER 6833	Northwatch Re: EB-2016-0003 email B. Marcus information about this proceeding and ask for interest and availability to potentially assist as Northwatch's expert;	110	0.20	170.00	34.00
58 May 26/2016 1714147 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 check on status of 2016-0003 at Ontario Energy Board;	110	0.20	170.00	34.00
53 Jun 23/2016 1721580 No Hold	MATTHEW GARDNER 6833	Northwatch Re: EB-2016-0003 receipt and review of letter from Board about working group and next steps in proceeding; report by email to B. Lloyd and expert B. Marcus; phone call with J. Craig at Board to confirm that B. Marcus eligible for cost award as expert for Northwatch;	110	0.40	170.00	68.00
58 Sep 22/2017 1867133 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 call to J. Craig at OEB to request update on status and cost eligibility;	110	0.30	170.00	51.00
53 Sep 22/2017 1867159 No Hold	MATTHEW GARDNER 6833	Northwatch Re: EB-2016-0003 receipt and review of Board's notice of proposal to amend TSC and DSC and attachments; emails with B. Lloyd and expert B. Marcus re next steps for Northwatch to intervene;	110	0.40	170.00	68.00
58 Oct 27/2017 2011741 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 status update from M. Gardner and instructions for work to proceed;	110	0.20	170.00	34.00
58 Nov 1/2017 1877303 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 review amendments in Board proposal and previous Northwatch submission on regional planning; draft Northwatch submission; draft overview of points to client and Bill;	110	2.60	170.00	442.00
58 Nov 5/2017 1878791 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 follow up to W. Marcus re expert comments;	110	0.30	170.00	51.00
53 Nov 6/2017 1877913 No Hold	MATTHEW GARDNER 6833	Northwatch Re: EB-2016-0003 revise Northwatch's submission to OEB re Regional Planning and Cost Allocation Review; receipt of expert B. Marcus' comments and finalize submission; phone call and emails with B. Lloyd (Northwatch consultant) re submission;	110	1.50	170.00	255.00
58 Nov 6/2017 1877945 No Hold	NICOLE PETERSEN 6833	Northwatch Re: EB-2016-0003 follow up email to W. Marcus re input on amendments; updates to draft submission to OEB based on review of prior submissions and Board's Notice; phone call to M. Gardner with file update and instruction;	110	2.20	170.00	374.00
53 Sep 6/2018 1966872 No Hold	MATTHEW GARDNER 6833	Northwatch Re: EB-2016-0003 review OEB's Notice re amendment of TSC and DSC and B. Lloyd's notes from February 2018 stakeholder conference; attend phone call with B. Lloyd to discuss Northwatch's position and potential areas to cover in submission re	110	0.40	170.00	68.00

Time Listing

Jan/11/2016 To Sep/20/2018

Lwyr Date Entry #	Lawyer Matter	Client Matter Description Explanation	Law Type	Hours	Rate	Total
53	MATTHEW GARDNER	proposed amendments to TSC and DSC;				
Sep 20/2018	6833	Northwatch				
1970592		Re: EB-2016-0003	110			
No Hold	NGO	review proposed amendments to TSC and DSC and prepare summary points for B. Lloyd to consider; phone call with B. Lloyd;		1.00	170.00	170.00

*** Summary by Task Code ***

Task Code	Hours	Amount
NGE - Non-Government Orgaization - Environmental	1.40	238.00
NGO - Non-Government Organization - Other	11.70	2021.00
Total Billable	13.10	2259.00
Total:	13.10	2259.00

*** Summary by Working Lawyer ***

Working Lawyer	Hours	Amount
31 - JULIE ABOUCHAR	0.20	66.00
53 - MATTHEW GARDNER	5.10	867.00
58 - NICOLE PETERSEN	7.80	1326.00
Total:	13.10	2259.00

REPORT SELECTIONS - Time Listing

Layout Template	Default
Advanced Search Filter	None
Requested by	Swabie Baksh
Finished	Tuesday, February 26, 2019 at 11:02:03 AM
Ver	14.1 (14.1.20150324)
Date Range	Jan/11/2016 To Sep/20/2018
Matters	6833
Clients	All
Major Clients	All
Client Intro Lawyer	All
Matter Intro Lawyer	All
Responsible Lawyer	All
Type of Law	All
Select From	Active, Inactive, Archived Matters
Working Lawyer	All
Task	All
Summarize by Type of Law	No
Sorted by	Order Entered
Time/Fee	Both
Include Daily totals	No
Include Held Items only	No
Matter Security Enabled	No
Printed from	Register

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



File # EB- <u>2016-0003</u>	Process: <u>Regional Planning and Cost Allocation</u>
Party: <u>Northwatch</u>	

Name of individual whose disbursements are being claimed:

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Scanning/Photocopy	\$7.50	\$0.98	\$8.48
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
TOTAL DISBURSEMENTS:	\$7.50	\$0.98	\$8.48

1/

Client Costs Journal

Jan/11/2016 To Sep/20/2018

Date	Paid To	Source Matter	Client Name	Ref#	G/L Acct	Amount
Entry#	Explanation					
Jan/14/2016		CER	6833			
1670039	Photocopies		Northwatch	5170	- RECOVERY	7.50
Total for Jan/14/2016 :						7.50

REPORT SELECTIONS - Client Costs Journal

Layout Template:	All		
Requested by:	Swabie Baksh		
Finished:	Tuesday, February 26, 2019 at 11:06:01 AM		
Date Range:	Jan/11/2016 To Sep/20/2018		
Matters:	6833		
Clients:	All		
Major Clients:	All	Matter Intro Lawyer:	All
Responsible Lawyer:	All	Client Intro Lawyer:	All
Assigned Lawyer:	All	Type of Law:	All
Sort by Resp Lawyer:	No	New Page for Each Lawyer:	No
G/L Account:	All G/L Accounts	Include Exp. Recoveries:	Yes
Ref#:	All Cheques	Include Accounts Payable Entries:	Yes
G/L Summary Only:	No	Include General Cheque Allocations:	No
Display in Order Entered:	No	Show User Name:	No
Corrected Entries:	Not Included	Summary by Resp Lawyer:	No
Select From:	Active, Inactive, Archived Matters		
Explanation Codes:	All		
Ver:	14.1 (14.1.20150324)		
Printed from:	Register		

Currently

Researcher, analyst, writer-editor, facilitator, working in the areas of environment and natural resource management; case manager for reviews of natural resource management and energy projects

Professional Work

Terratoire Environmental Consultancy, Senior Consultant, established 2009, 2009 to present

Northwatch Project Coordinator / Administrator, 2000 to present (contracted)

Case Manager, Northwatch Interventions, CNSC licensing reviews, 2000 to present

Case Manager, Northwatch Intervention, CEAA Review of Ontario Power Generation's Deep Geologic Repository, 2008, 2011-2014

Case Manager, Ontario Energy Board Interventions, Wilms & Shier LLB, 2008 – 2018, Intermittent

Forests and Community Support Program, Northwatch, 2000, 2002 to 2008.

Regional Consultant, Ontario Healthy Communities Coalition, 2008 to 2012

Researcher/Writer, Boreal Program, Mining Watch Canada, 2001, 2007-2008

Researcher/Writer, Literature Review of Relevant Forestry Policies and Programs, Union of Ontario Indians, 2005

Researcher/Writer, Energy Action Agenda, Great Lakes United, 2002

Field Research and Data Collection, Ministry of the Environment Tolerant Hardwood Decline Study, 1998 - 2002

Regional Outreach Coordinator for "Lands for Life" land use planning, Partnership for Public Lands, 1997-1998

Case manager, Adams Mine Intervention Coalition, Adams Mine Environmental Assessment Hearing, 1998

Data Assembly and Mapping, Ocular Regeneration Study, Ministry of Natural Resources, 1995

Case manager, Northwatch Intervention in Ontario Energy Board HR-22, 1994; HR-23, 1995; HR-24, 1996

Case Coordinator and Analyst, Northwatch Representation to the Federal Environmental Assessment Review of on the Decommissioning of Uranium Mine Tailings Areas in Elliot Lake, 1993 - 1996

Case Coordinator and Analyst, Northwatch Representation to the Federal Environmental Assessment Review of Atomic Energy of Canada Limited's Nuclear Fuel Waste Management Disposal Concept, 1990 - 1997

Case Coordinator, Northwatch Intervention in the Environmental Assessment of Ontario Hydro's 25 Year Demand Supply Plan, 1990 - 1993

Intervention Coordinator, Northwatch et al intervention in the Class Environmental Assessment of Timber Management on Crown Lands in Ontario, 1988 – 1993

Coordinator, North Bay Women's Centre, 1986 – 1990

curriculum vitae**Advisory Positions**

Laurentian Escarpment Conservation Area Trails Committee, 2012 to present

Environment Canada, Metal Mine Effluent Regulation Review, 2013 to 2015

National Advisory Committee on Orphaned and Abandoned Mines, 2001 to present

Ontario Minister's Mining Act Advisory Committee, 1995 to present

Regional Advisory Committee to Ministry of Natural Resources, 1999 to 2010

Non-Governmental Organizations Regulatory Advisory Committee, Canadian Nuclear Safety Commission, 2005 to present

Nipissing Forest Local Citizens Committee, Advisory to the Ministry of Natural Resources North Bay District, 2003 to 2013

Mining Sector Sustainability Table, Government of Canada, 2005 to 2007

Ontario Waste EA Stakeholder Consultation Group, 2006

Canadian Environmental Assessment Agency Regulatory Advisory Committee Subcommittee on Public Participation in Screening Reviews, 2001-2002

Forest Management Planning Improvement Project (Ontario Ministry of Natural Resources) Steering Committee and Project Team, 2000-2001

Toxicological Investigations of Mine Effluent (TIME) Federal Advisory Group, 1999 to 2003

Canadian Environmental Assessment Agency Regulatory Advisory Committee Subcommittee on Participant Funding, 1997 - 1999

Moose River Basin Environmental Information Project Steering Committee, Ministry of Natural Resources, 1995 - 1999

Metal Mining Liquid Effluent Regulation Review Group (Aquamin), 1994-1999

Chair, Old Growth Forests Policy Advisory Committee to the Minister of Natural Resources, 1992 - 1994

Whitehorse Mining Initiative, Leadership Council, 1994

Environmental Bill of Rights Advisory Committee, 1991

Ontario Round Table on the Environment and Economy, Forest Sector Task Force Member, 1991

Community work

West Ferris Ringette Association, Board of Directors, 2017 to present

GreenSpace North Bay, founding member and communications coordinator, 2007 to present

Northwatch, founding member, steering committee and program director, 1988 to present

Ontario Environment Network Forest Caucus, Co-Chair, 2000 to 2008

Nuclear Waste Watch, National Steering Committee Co-chair, 2003 to present

MiningWatch Canada, founding board member, Co-Chair, 1999 to 2004

Canadian Environment Network Mining Caucus, Co-Chair, 1994 - 1998, steering committee 1998 to 2016

Canadian Environment Network Forest Caucus, Chair, 1994 - 1997

Great Lakes United Board of Directors, 1993 - 1997

North Bay Peace Alliance, founding member, coordinator, 1984 to present

Nipissing Environment Watch, founding member, resource person, 1984 to present

Canadian Crossroads, North Bay coordinating committee, 1990-1998

Ontario Energy Environment Caucus, Co-chair, 1990 to 1995

Ontario Environment Network, regional representative for northeastern Ontario, 1986 - 1992

Canadian Peace Alliance, regional representative for northeastern Ontario, 1986 - 1991

North Eastern Ontario Network for Peace, founding member, regional coordinator, 1985 - 1990

Temagami Wilderness Society, Board of Directors, 1987 - 1990

Profile

Brennain works primarily as a researcher and organizer around land use and natural resource concerns, and has served in a number of key advisory positions on mineral and forest policy. Brennain is a frequent guest lecturer on a range of issues related to the public role in environmental decision-making and natural resource management.

Select Publications

"Who's that Mining in Our Homeland? An overview of mineral activities in the Robinson-Huron Treaty Area", prepared for Serpent River First Nation, 2009

"The Boreal Below: Mining Issues and Activities in Canada's Boreal Forest Region", principal author, revised version, MiningWatch Canada, 2008

Local Citizens' Committee Handbook on Forest Management Planning, 2007

"Restoring Balance", Literature Review for the Union of Ontario Indians, 2005

"Great Lakes Energy Action Agenda", co-authored with Irene Kock, Great Lakes United, 2002

"The Boreal Below: Mining Issues and Activities in Canada's Boreal Forest Region", co-authored with Catherine Daniel, MiningWatch Canada, 2001

"UnderMining Superior", Northwatch, 2001

"A Citizens' Briefing Kit for the Five Year Review of the Canadian Environmental Assessment Act", Canadian Environmental Network, 2000

"At Work in the Natural World - Mining & Milling Ontario's Natural Resources", co-authored with Catherine Daniel, Canadian Institute for Environmental Law and Policy, 1999

"Public Participation in Comprehensive Studies and Screenings and Participant Funding at the Screening Level of Federal Environmental Assessment", Canadian Environmental Assessment Agency, 1999

"Who's Minding the Mines?", Great Lakes United submission to the International Joint Commission Biennial Meeting, 1996

"Sustainability - As If We Meant It", mining chapter, Ontario Environment Network, 1990

Forest File, quarterly newsletter on Forest Management Planning in Northeastern Ontario, 2002 to 2008

Northwatch News, writer and editor, ongoing since 1990

Web sites

Northwatch and environmental issues in northeastern Ontario at www.northwatch.org

Nuclear waste issues in Canada at www.nuclearwaste.ca

Nuclear waste siting exercise at www.KnowNuclearWaste.ca

Healthy communities and local planning at www.greenspacenorthbay.net