Long Lake #58 First Nation

209 Otter Street P.O. Box 609 Longlac, Ontario POT 2A0



Tel: (807) 876-2292 Fax: (807) 876-2757

March 8 2019

Via Email: <u>boardsec@oeb.com</u>

Kirsten Walli Board Secretary Ontario Energy Board P.O. Box 2319 27th Floor 2300 Yonge Street Toronto, ON M4P 1E4

Dear Ms. Walli:

Further to Procedural Order No. 9, EB-2017-0364, Long Lake #58 First Nation is pleased to provide you with our "Cost Claim for Hearings" forms along with copies of the invoices from our Advisor and Legal Counsel.

Should you have any questions or should either Nextbridge Infrastructure or Hydro One Networks Incorporated require any additional information or further clarification they may contact me at (807) 876-2292 x 228.

Sincerely,

Henry Waboose,

First Nation Manager

cc: Chief and Council

Harrow.

Aboriginal Business Network

Virginia Greer Professional Corporation



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.

		ln	structions		
 All claims must A separate "Det Disbursements B However, only or The cost claim r A CV for each co 	be in Canadian dollars. If app ail of Fees and Disbursements eing Claimed") is required for ne "Summary of Fees and Disb nust be supported by a compl onsultant/analyst must be att	Rate:	mulas are embedded in the form change rate and country of inition (comprising a "Statement of Fe alyst/consultant and articling streing the whole of the party's cannot be a representative of the povided to the Board as prescribe irection on Cost Awards, itemize	Country: ees Being Claimed" and a "Statement of udent/paralegal. ost claim should be provided. party. ed on the Cost Award Tariff.	
File # EB- EB	-2017-0364		Process: East-West Tie		
	ng Lake #58 First Nation		Affiant's Name: G. W	ayne Greer	
HST Number:	875229098RT0001		HST Rate	Ontario: 0.00%	
	Full Registrant Unregistered Other	0	Qualifying No	on-Profit Exempt	
			Affidavit		
I, II	G Wayne Gree	Γ	, of the City/Town of	Carp	
in the Provinc	e/State of	Ontario	, sw	ear 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 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					
	rmed before me at the C	City/Town of Ontario	Sault Ste. N	Marie , March 7 2019 .	
in the Provin	ce/State of	Untario	, on	(date)	
Commission	er for taking Affidavits	Andrea S	FBeinaid.		
File # EB- E	B-2017-0364		Process: East-West Tie		
_	ong Lake #58 First Nation		-		



Affidavit and Summary of Fees and Disbursements

Summary of Fees and Disbursements Being Claimed

	Summary of Fee:	s and Disbursements being claim	EU
Legal/consultant/other fees	\$	9,999.00	
Disbursements	ş	1,650.33	
HST	\$	188.54	
Total Cost Claim	\$	11,837.87	

	Payment Information
Make cheque payable to:	Aboriginal Business Network
Send payment to this address:	1340 Terrace Ridge Drive Carp, ON K0A 1L0
	KOA 120



File# EB-	EB-2017-0364	Process: East-West Tie	
Party:	Long Lake #58 First Nation	Service Provider Name:	
	SERVICE PROVIDER TYPE Legal Counsel	Year Called to {check one } Bar	Completed Years Practising/Years of Relevant Experience 34
	Articling Student/Paralegal Consultant Analyst		Hourly Rate: \$330
	For Consultant/Analyst:	 CV attached HST Rate C ✓ CV provided within previous 24 months 	harged (enter %): 0.0%

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Hours						HST		Total
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2.00	\$	330.00	\$	660.00	\$		\$	660.00
	\$	330.00	_	•				
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	\$	170.00	\$	-	\$		\$	
			S	9,999.00	\$	-	\$	9,999.00
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File# EB-	EB-2017-0364	Process:	East-West Tie	
Party:	Long Lake #58 First Nation	Service Provi	ider Name:	G Wayne Greer

	Statement o	f Disbursemen	ts Being Cla	aimed		1		7.A-I
			Net Cost			HST		Total
Scanning/Photocopy					\$		\$	-
					\$	-	\$	•
Printing					\$	-	\$	-
Courier					\$	-	\$	-
Telephone/Fax			<u> </u>		\$	-	\$	-
Transcripts				16.25	\$	80.11	\$	696.36
Travel: Air		\$		10.23	\$	-	\$	
Travel: Car					\$		\$	_
Travel: Rail							\$	
Travel (Other):				00.00	\$		\$	117.50
Parking		\$	+101	103.98	\$	13.52	_	117.50
Taxi					\$		\$	800.31
Accommodation		\$		708.24	\$	92.07	\$_	
Meals		\$		200,00	\$	-	\$	200.00
Other:	UP Express	\$		21.86	\$_	2.84	\$	24.70
Other:					\$		\$	-
					\$	-	\$	
Other:								
TOTAL DISBURSEMENTS	<u> </u>	\$	1.6	550.33	S	188.54	\$	1,838.87



Invoice

Date:

March 7, 2019

To:

Henry Waboose, First Nation Manager Anthony Legarde, Finance Manager

From:

Wayne Greer, President

Subject:

Ontario Energy Board - Invoice

Please find our further invoice for our work providing advice to Chief and Council on the Ontario Energy Board Nexbridge-HONI Leave to Construct applications process from August 2018 to February 2019:

Professional Fees

Review Correspondence and Prepare File Materials (Sep 13)	2.6 hours
Review On-going Correspondence (Sep 20)	0.9 hours
Review On-going Correspondence (Sep 25)	1.1 hours
Review Hearing Transcript (Oct 2)	1.2 hours
Review Hearing Transcript (Oct 3)	1.2 hours
Internal Meeting and Preparation (Oct 4)	1.0 hour
Attend Hearing by Phone (Oct 4)	2.0 hours
Review Hearing Transcript (Oct 4)	1.3 hours
Internal Preparation and Discussion (Oct 5)	0.5 hours
Review Hearing Transcript (Oct 9)	1.0 hour
Review Hearing Transcript (Oct 10)	1.0 hour
Review Hearing Transcript (Oct 11)	1.3 hours
Review Hearing Transcript (Oct 12)	1.0 hour
Internal Follow-up with Legal Counsel and Client (Oct 13)	1.0 hour
Summary Memo (Oct 14)	1.6 hours
Meet with Legal Counsel and Discuss and	
Initiate Final Submission in Toronto ¹ (Oct 29)	5.5 hours
Final Document Review and Continued Submission	
Preparation in Toronto (Oct 30)	5.0 hour
Review and Edit Final Submission (Oct 31)	1.5 hours

¹ Note that Legal Counsel for LLFN was located in Toronto and the clients were also in attendance at other meetings so that there were significant cost savings by doing work in Toronto, rather than scheduling to meet at LLFN and then come back to Toronto to complete submissions.

Meeting with Clients for Authorization Final Submission in Oakville (C Review and Discuss Decision (Dec 21) Review and Discuss Decision (Feb 11)	1.3 hours 1.3 hours 0.8 hours	
Fees (30.3 hours @ 330/hr)	\$9,999.00	
Expenses (Oct 28-Nov 1)		
Airfare Hotel – Oct 28 Hotel – Oct 29 Hotel – Oct 30 Hotel – Oct 31 UP Express Parking at Airport (5 days) Meals per Diem ² (4 days)	\$696.36 \$284.40 N/C \$284.40 \$231.51 \$24.70 \$117.50 \$200.00	
Total Expenses	V	<u>\$1,838.87</u>
Total Fees and Expenses		\$11,837.87

Should you have any questions about this invoice please do not hesitate to contact me.

Regards, W.

² Applying the Provincial Travel Rate of \$50.00/day

March 7, 2019

Ontario Energy Board P.O. Box 2319 2300 Yonge Street, 27th Floor Toronto, ON M4P 1E4 Attn: Ms. Kirsten Walli Board Secretary

Dear Ms. Walli:

Re: EB-2017-0182/EB-2017-0194/EB- 2017-0364

I am counsel to Long Lake #58 First Nation ("LL#58FN"), an intervenor in the above-noted proceeding.

In the Ontario Energy Board's ("OEB") Procedural Order No. 4 Combined Hearing, issued on September 7, 2018, the OEB confirmed that LL#58FN is "eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*."

Section 5 of the OEB's *Practice Direction on Costs Awards* ("OEB Practice Direction") set out several criteria that the OEB will consider in determining a costs award, including that the intervenor:

- a) participated reasonably in the process;
- b) contributed to a better understanding by the Board of one or more of the issues in the process;
- c) complied with the Board's orders, rules, codes, guidelines, filing requirements and section 3.03.1 of this Practice Direction with respect to frequent intervenors, and any directions of the Board;
- d) made reasonable efforts to combine its intervention with that of one or more similarly interested parties, and to co-operate with all other parties;
- e) made reasonable efforts to ensure that its participation in the process, including its evidence, interrogatories and cross-examination, was not unduly repetitive and was focused on relevant and material issues;
- f) engaged in any conduct that tended to lengthen the process unnecessarily; or
- g) engaged in any conduct which the Board considers inappropriate or irresponsible.

LL#58FN participated responsibly throughout this proceeding. As LL#58FN's legal counsel, I attended all hearing dates, either in person or by telephone. I also attended at the confidential document review session prior to the commencement of the hearing as well as the confidential review session of the December 20, 2018 Decision and Order. I communicated with LL#58FN following the hearing dates.

LL#58FN's submissions provided background information about LL#58FN and its unique relationship to the area and the proposed projects.

LL#58FN filed written evidence, interrogatories and final written submissions. The time limits set by the OEB for cross-examinations was adhered to. LL#58FN did not cross-examine all parties and dutifully limited its questioning to areas unexamined by other parties.

LL#58FN did not engage in conduct that would unnecessarily lengthen the proceedings, nor did it engage in any inappropriate or irresponsible conduct.

Certain costs were included in the "Other Conferences" category that did not fit elsewhere but were critical to LL#58FN's participation. These costs include reviewing correspondence received from the OEB (i.e. Procedural Orders and Decisions and Orders) and debriefing LL#58FN about these developments. Time to attend at the confidential two-hour review session for the December 20, 2018 Decision & Order were also included in this category. Legal counsel's attendance and these communications were necessary in order for LL#58FN to fully participate in the process.

Legal counsel is not claiming disbursements in this matter.

On behalf of LL#58FN I respectfully request the attached costs be awarded to LL#58FN by the OEB for its participation in the above-noted matter.

Kind regards,

Virginia Greer

Vignin 9

cc:

Henry Waboose, LL#58FN, henry.waboose@longlake58fn.ca Robert B. Warren, Weir Foulds LLP, counsel to Hydro One Networks Inc. (via email) Krista Hughes, Legal Counsel, Enbridge Employee Services Canada Inc. (via email)



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.

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- All claims in - A separate Disbursemen However, on - The cost cla	nust be in Canadia "Detail of Fees and ts Being Claimed" ily one "Summary tim must be suppo ch consultant/ana	ed by yellow-shaded in dollars. If applicable Disbursements Beir is required for each of Fees and Disbursel rted by a completed lyst must be attached at in section 7.03 of	le, state exchai Rate: ng Claimed" (co lawyer, analys ments" coverin Affidavit signed i unless provide	imprising a ' t/consultan g the whole d by a repre	Statement of Initial Country of Initial Country of Italian (Initial Country of Italian Co	tial currency. Country: Fees Being Claimed student/paralegal. cost claim should be party. Fed on the Cost Awa	" and a "Statement of e provided. ard Tariff.
File # EB-	EB-2017-0364			Process:	EWT-LSL Con	nbined Hearing	
Party:	Long Lake #58	First Nation		Aff	iant's Name:	Virginla Greer	
HST Numbe	er: <u>8752290</u>	98RT0001			HS1	Γ Rate Ontario: _	0.00%
9)		Full Registrant Unregistered Other			Qualif	ying Non-Profit Tax Exempt	· ·
ı.	<u> </u>	Virginia Greer	· · · · · · · · · · · · · · · · · · ·	Affidavit	u/Town of		Toronto
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Sworm or a	ffirmed before	me at the City/To	own of		To	ronto	
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File # EB-	EB-2017-0364			Process:	EWT-LSL Con	nbined Hearing	
Party:	Long Lake #58	First Nation					



Affidavit and Summary of Fees and Disbursements

Summary of Fees and Disbursements Being Claimed			
Legal/consultant/other fees	\$	10,667.50	
Disbursements	\$	-	
HST	\$	-	
Total Cost Claim	\$	10,667.50	

	Payment Information
Make cheque payable to:	Virginia Greer Professional Corporation
Send payment to this address:	7-10 Plymouth Avenue
	Toronto, ON
	M6.I171



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File # EB- EB-2017-0364				Process: EWT-LSL Combined Hearing							
Party:	Long Lake #58 First Nation			Service Provider Name:				Virginia Greer			
	SERVICE PROVIDER TYPE Legal Counsel Articling Student/Paralegal Consultant Analyst For Consultant/Analyst:	CV attac	ched	ar Called to Bar 2010	s 24 m		н	of Relevan			
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Pre-hearing	Conference										
	Preparation		\$	170.00	\$	_	\$	-	\$ -		
	Attendance		\$	170.00	\$		\$	+	\$ -		
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Pre-hearing Conference									
Preparation	·	\$	170.00	\$	-	\$	-	\$	-
Attendance		\$	170.00	\$	-	\$	+	\$	-
Technical Conference					*****				
Preparation		\$	170.00	\$	-	\$	•	\$	-
Attendance		\$	170.00	\$	•	\$	+	\$	•
Interrogatories									
Preparation	10.00	\$	170.00	\$	1,700.00	\$	_	\$	1,700.00
Responses	3.00	\$	170.00	\$	510.00	\$	-	\$	510.00
Issues Conference									
Preparation		\$	170.00	\$	-	\$	-	\$	*
Attendance		\$	170.00	\$	-	\$	-	\$	-
ADR - Settlement Conference									
Preparation		\$	170.00	\$	-	\$	-	\$	
Attendance		\$	170.00	\$	•	\$	-	\$	
Proposal Preparation		\$	170.00	\$	-	\$	-	\$	*
Argument							· - · · · · · · · · · · · · · · · · · ·		
Preparation	12.00	\$	170.00	\$	2,040.00	\$	-	\$	2,040.00
Oral Hearing									-
Preparation	5.00	\$	170.00	\$	850.00	\$	-	\$	850.00
Attendance	25,00	\$	170.00	\$	4,250.00	\$	-	\$	4,250.00
Other Conferences									
Preparation		\$	170.00	\$	-	\$	-	\$	-
Attendance	7.00	\$	170.00	\$	1,190.00	\$	•	\$	1,190.00
Case Management	0.75	\$	170.00	\$	127.50	\$	-	\$	127.50
TOTAL SERVICE PROVIDER FEES	Company to the Property of			\$	10,667.50	\$		\$	10,667.50



File# EB-	EB-2017-0364	Process: <u>EWT-LSL Cor</u>	mbined Hearing
Party:	Long Lake #58 First Nation	Service Provider Name:	Virginia Greer

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VIRGINIA GREER PROFESSIONAL CORPORATION

Henry Waboose February 15, 2019
First Nation Manager File No. 011
Long Lake #58 First Nation Statement No. 1
PO Box 609
Longlac, ON POT 2A0

Anthony Legarde Finance Manager Long Lake #58 First Nation PO Box 609 Longlac, ON POT 2A0

RE: Professional Services Rendered in Connection With:

LL#58FN Intervention at Ontario Energy Board re: EB-2017-0182/0194/0364

Please find attached my invoice for work done on the above noted matter during the period from August 1, 2018 to February 12, 2019:

Date	Work Summary	Hours
August 16	Teleconference with LL#58FN representatives regarding potential Ontario Energy Board ("OEB") intervention;	0.5 hour
August 17	Draft letter of intervention and various discussions with client re: same;	3 hours
September 8	Review Procedural Order 4 and communicate with client re same;	0.5 hour
September 10	Review interrogatories, Hydro One Terms of Reference, Record of Consultation and other background research and to draft interrogatories;	5 hours
September 11	Meeting with W.Greer re: interrogatories;	1 hour
September 12	Finalize draft interrogatories and various discussions with clients;	4 hours
September 13	Draft evidence;	4 hours
September 27	Review interrogatory responses from three parties, communicate with client, meet with W.Greer to prepare cross examination questions;	3 hours
September 28	Prepare for and call with various Indigenous groups involved in OEB hearing;	0.5 hour
October 2	Review confidential documents at OEB and attend hearing at OEB re Leave to Construct;	5 hours
October 3	Attend hearing;	4 hours

October 4	Attend hearing (via teleconference);	4 hours
October 9	Prepare for and attend hearing;	4.5 hours
October 10	Attend hearing (via teleconference);	2 hours
October 11	Attend hearing;	4 hours
October 12	Attend hearing;	3.5 hours
October 15	Review hearing notes and draft reporting memorandum to client re: same;	3 hours
October 29	Review Hydro One and NextBridge Argument in Chief, draft submissions;	4 hours
October 31	Finalize submissions, call with client to review;	3 hours
November 12	Review reply submissions and emails re same;	1 hour
December 20	Attend OEB to review December 20, 2018 Decision & Order and draft memorandum to client re same;	2.5 hours
February 4	Review Order in Council and communication to client re same;	0.25 hour
February 12	Review February 11, 2019 Decision & Order.	0.5 hour
	Total Professional Fees (62.75 hours @ \$170/hr)	62.75 hours \$10,667.50

VIRGINIA GREER PROFESSIONAL CORPORATION

Per:

Virginia Greer, President

Please make cheques payable to: Virginia Greer Professional Corporation