

Elson Advocacy

August 11, 2019

BY COURIER (2 COPIES) AND RESS

Ms. Kirsten Walli

Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2700, P.O. Box 2319
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: EB-2018-0205 – Enbridge Gas Distribution Inc. (“Enbridge”)
2019 Carbon Pricing Application**

Enclosed please find the cost claim of Environmental Defence in the above matter.

We respectfully request that this cost claim be accepted despite it being submitted shortly after the deadline. First, the delay in filing the claim is short – less than two business days. Second, accepting this claim would cause no prejudice to any parties or the Board’s review process as the date for Enbridge to comment on cost claims is still well in the future, on August 15, 2019. Third, the delay was due to an inadvertent oversight, which was corrected immediately once discovered. Fourth, the submissions of Environmental Defence appeared to be helpful to the Board and were referred to a number of times in the Board’s decision.

Please do not hesitate to contact me if anything further is required.

Yours truly,



Kent Elson

cc: Enbridge

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>2018-0205</u>	Process: <u>2019 Federal Carbon Pricing Program Application</u>
Party: <u>Environmental Defence</u>	Affiant's Name: <u>Kent Elson</u>
HST Number: <u>872151923RT0001</u>	HST Rate Ontario: <u>13.00%</u>
Full Registrant <input checked="" type="checkbox"/> Unregistered <input type="checkbox"/> Other <input type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/> Tax Exempt <input type="checkbox"/>

Affidavit

I, Kent Elson, 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 August 11, 2019.
(date)

 250 58708 V
Commissioner for taking Affidavits

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

File # EB- 2018-0205 **Process:** 2019 Federal Carbon Pricing Program Application

Party: Environmental Defence

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	3,024.50
Disbursements	\$	-
HST	\$	393.19
Total Cost Claim	\$	3,417.69

Payment Information

Make cheque payable to: Kent Elson

Send payment to this address: 1062 College Avenue, Lower Suite
Toronto, Ontario
M6H 1A9

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2018-0205</u>	Process: <u>2019 Federal Carbon Pricing Program Application</u>	
Party: <u>Environmental Defence</u>	Service Provider Name: <u>Kent Elson</u>	
SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="2009"/>	<input type="text" value="10"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <input type="text" value="\$230"/>
<input type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <input type="text" value="13.0%"/>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Responses		\$ 230.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation	13.15	\$ 230.00	\$ 3,024.50	\$ 393.19	\$ 3,417.69
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 3,024.50	\$ 393.19	\$ 3,417.69

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2018-0205

Process: 2019 Federal Carbon Pricing Program Application

Party: Environmental Defence

Service Provider Name: Kent Elson

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:		\$ -	\$ -	\$ -

Elson Advocacy

Invoice

Environmental Defence
116 Spadina Ave Suite 30
Toronto, ON
M5V 2K6 Ontario

August 11, 2019

File #: 0029
Inv #: 33

RE: Enbridge/Union - Carbon Pricing 2019

DATE	DESCRIPTION	HOURS	LAWYER
Oct 10, 2018	Review applications; various correspondence	1.95	KE
Nov 1, 2018	Review applications; draft submissions regarding the interim relief sought by the utilities; draft intervention request; various correspondence	1.70	KE
Apr 15, 2019	Review application	0.80	KE
May 6, 2019	Detailed review of application and interrogatory responses; draft outline of submissions; draft submissions	4.50	KE
May 7, 2019	Draft submissions	3.20	KE
May 8, 2019	Draft submissions; various correspondence	0.50	KE
May 24, 2019	Finalize submissions; various correspondence	0.50	KE
	Total Hours and Fees	13.15	\$3,024.50
	Total HST on Fees		\$393.19
TOTALS			
	Total Fees & Disbursements		\$3,024.50
	Total HST		\$393.19
	Total Fees, Disbursements, & HST		\$3,417.69

Kent@ElsonAdvocacy.ca
1062 College St., Lower Suite, Toronto, ON M6H 1A9

tel: 416 906-7305
fax: 416 763-5435

Amount Now Due

\$3,417.69

HST # 76661 2881 RT0001
Total HST \$393.19