

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

October 16, 2019

**Re: EB-2019-0003 Post-2020 Natural Gas Demand Side Management Framework
Pollution Probe's Phase 1 Cost Claim**

Dear Ms. Walli:

Please find attached the cost claim from Pollution Probe for the above noted proceeding. Pollution Probe coordinated with stakeholders on relevant issues and has capped its cost claim in alignment with the Boards instructions. Pollution Probe also posted its submission several days before the deadline to provide an additional opportunity for stakeholders to leverage it as appropriate.

Respectfully submitted on behalf of Pollution Probe.

Original signed by

Michael Brophy, P.Eng., M.Eng., MBA
Consultant to Pollution Probe
Phone: 647-330-1217
Email: Michael.brophy@rogers.com

cc: Josh Wasylyk, OEB (via e-mail)
Mark Kitchen, Enbridge (via EGIRegulatoryProceedings@enbridge.com)
Bruce Brandell, EPCOR Utilities Inc. (via email)
Richard Carlson, Pollution Probe (via e-mail)

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- 2019-0003</u>	Process: <u>Post 2020 DSM Framework - Phase 1</u>
Party: <u>Pollution Probe Foundation</u>	Affiant's Name: <u>Michael Brophy</u>
HST Number: <u>108092701 RT0001</u>	HST Rate Ontario: <u>13.0%</u>
Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit <input checked="" type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

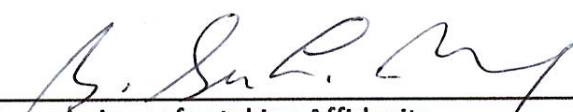
Affidavit

I, Michael Brophy, 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 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 October 11, 2019,
(date)


Commissioner for taking Affidavits
LAWYER

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Affidavit and Summary of Fees and Disbursements



File # **EB- 2019-0003**

Process: **Post 2020 DSM Framework - Phase 1**

Party: **Pollution Probe Foundation**

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$2,970.00
Disbursements	\$0.00
HST	\$386.10
Total Cost Claim	\$3,356.10

Payment Information

Make cheque payable to: **Pollution Probe Foundation**

Send payment to this address: **150 Ferrand Drive, Suite 208**
Toronto, Ontario
M3C 3E5

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: <u>Michael Brophy</u>	Year Called to Bar <div style="border: 1px solid black; height: 20px; width: 80px; margin: 0 auto;"></div>	Completed Years Practicing/Years of Relevant Experience <div style="border: 1px solid black; height: 20px; width: 100%; margin: 0 auto;"></div> <div style="border: 1px solid black; height: 20px; width: 100%; margin: 0 auto;"></div> <div style="border: 1px solid black; height: 20px; width: 100%; margin: 0 auto; text-align: center;">26</div>
Counsel/Articling Student/Paralegal: <input type="checkbox"/>		
Analyst/Consultant: <input checked="" type="checkbox"/>		
CV attached: <input checked="" type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name: _____	Year Called to Bar <div style="border: 1px solid black; height: 20px; width: 80px; margin: 0 auto;"></div>	Completed Years Practicing/Years of relevant experience <div style="border: 1px solid black; height: 20px; width: 100%; margin: 0 auto;"></div> <div style="border: 1px solid black; height: 20px; width: 100%; margin: 0 auto;"></div> <div style="border: 1px solid black; height: 20px; width: 100%; margin: 0 auto;"></div>
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Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

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Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

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Counsel/Articling Student/Paralegal: <input type="checkbox"/>		
Analyst/Consultant: <input type="checkbox"/>		
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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- 2019-0003

Process Post 2020 DSM Framework - Phase 1

Party Pollution Probe Foundation

HST Rate: 13%

1											2		3				
Activity		Preparation for the Phase 1 Stakeholder Meeting		Attendance at the Phase 1 Stakeholder Meeting		Written comments on the three specific issues identified for Phase 1											
Date		n/a		June 13, 2019		June 27, 2019											
Hours		Up to 2 hours		Up to 3 hours		Up to 4 hours											
Hourly rate																	
Michael Brophy		\$330.00		2.00		3.00		4.00		Subtotal		HST		Total			
0										\$2,970.00		\$386.10		\$3,356.10			
										\$0.00		\$0.00		\$0.00			
										\$0.00		\$0.00		\$0.00			
										\$0.00		\$0.00		\$0.00			
										\$0.00		\$0.00		\$0.00			
Total:				2.00		3.00		4.00		\$2,970.00		\$386.10					
											Total legal/consultant fees:					\$3,356.10	

Michael Brophy

INVOICE

28 MacNaughton Road
Toronto, Ontario, M4G 3H4
Phone 647-330-1217 email: michael.brophy@rogers.com

DATE: October 11, 2019
INVOICE # PP-OEB DSM 1
FOR: DSM Framework Ph 1

Bill To:

Richard Carlson
Director Energy Policy
Pollution Probe
150 Ferrand Drive
Toronto, Ontario
M3C 3E5

DESCRIPTION	AMOUNT
Consulting - OEB Phase 1 DSM Framework See attached for timesheet details Preparation for Stakeholder Meeting = 2 hours Attendance at Phase 1 Stakeholder Meeting = 3 hours Written Comments on Phase 1 Issues = 4 hours Total: 9 hours @ \$330 per hour	2,970.00
HST (HST #: 80841 7166 RT0001)	386.10
TOTAL	\$ 3,356.10

Make all cheques payable to Michael Brophy
If you have any questions concerning this invoice, contact:
Mike Brophy, Phone: 647-330-1217, email: michael.brophy@rogers.com
Business Number: 250812724

THANK YOU FOR YOUR BUSINESS!

EB-2019-0003 DSM Framework - Phase 1

Michael Brophy

Date	hours	summary
5-Jun	1.00	Coordination and correspondence with Pollution Probe (R. Carlson)
6-Jun	1.00	Phone call from Enbridge (C. Fernandez) to re: Enbridge deck
6-Jun	4.00	Prep for stakeholder session (including EB-2015-0134, MECP Env plan, DSM Framework)
8-Jun	1.00	Coordination meeting with Pollution Probe (R. Carlson)
13-Jun	3.00	OEB 1/2 day Stakeholder meeting
13-Jun	1.00	Submission Coordination & Preparation
18-Jun	2.00	Submission Coordination & Preparation
20-Jun	0.45	Submission prep - Enbridge discussion (C. Fernandez)
21-Jun	1.50	Complete submission & file w/OEB
<hr/>		
total	14.95	

MICHAEL BROPHY, P.ENG, M.ENG, MBA

647 330 1217 • michael.brophy@rogers.com • Toronto, Ontario

CAREER SUMMARY

PROGRAM GOVERNANCE, REGULATORY & MANAGEMENT CONSULTANT

2015 - Present

Providing project and regulatory support at the President, Vice-President and Director level (Examples provided below and additional projects available on request).

Pollution Probe, Regulatory Consultant (2018 - Present) – Provides consulting related to consumer, regulatory and industry projects.

Environment & Climate Change Canada (2018 - Present) - Provide project, expertise and stakeholder management in support of the Pan-Canadian Framework.

Independent Electricity System Operator (IESO) Advisory Project (2015) - Developed an executive Advisory Council to guide the long-term strategic direction on building an energy conservation culture in Ontario.

MINISTRY OF ENERGY, NORTHERN DEVELOPMENT & MINES

2015 - 2018

The Ministry works with many partners inside and outside of government to develop energy related facilities that help power the economy and meet Ontario's energy needs in a sustainable manner.

Manager, Conservation Program & Partnerships

Managed teams of 30 contractors and 6 direct reports to deliver policy, technical and industry stakeholder management, including program development, grant program governance, contract management, and provincial/federal liaison. A member of the Senior Management Team responsible for strategy, governance and execution of Ontario's Conservation First Framework, Long Term Energy Plan and the Climate Change Action Plan.

- Developed, launched and operated the largest program under Ontario's Green Investment Fund (\$325 million).
- Built effective partnerships proactively across provincial/federal ministries, agencies and other stakeholder groups to achieve policy objectives in an efficient and cost-effective manner.
- Business Sponsor for program development under Ontario Regulation 20/17 for over 20,000 private buildings in Ontario (energy, water and greenhouse gas reporting). Included the development of a multi-million dollar Customer Relationship Management (CRM) System and Contact Center to support over 40,000 inquiries per year. Recognized as one of the top business and IT projects in the public sector.

ENBRIDGE GAS DISTRIBUTION**1993 - 2015**

A North American leader in delivering energy, Enbridge owns Canada's largest natural gas distribution company.

Senior Manager, Operations Solutions Department (2010 - 2015)

A 'center of excellence' that provides effective program governance and delivery of enterprise business services. Managed a team of over 30 professionals delivering project management, process improvement and business support.

- Developed an effective governance model for the core operations system and related business processes. Enhanced stakeholder value and reduced corporate risk with over \$5 million in operational efficiencies. This structured approach included effective scorecards, clear accountability and governance for the cross functional Business IT team of over 70 employees and contractors.
- Established a strategic roadmap to ensure aligned, sustainable and cost-effective decisions across departments resulting in significant annual capital efficiencies and more effective business planning.
- Delivered more than 30 diverse business projects and implemented a methodology that aligned project management with change management to ensure more sustainable business outcomes.
- Managed regulatory and stakeholder issues related to portfolio operation and approvals. including approval for a \$70 million initiative to replace aging work and asset management system technology.

Senior Manager, Demand Side Management (DSM) & Portfolio Strategy (2005 - 2010)

Led Canada's largest utility energy and climate change portfolio including DSM, new business opportunities and industry coordination. Accountable for strategy and execution across all sectors and related industry, government, regulatory and stakeholder management.

- Remediated a three year backlog in audits and regulatory approvals related to the Enbridge DSM portfolio at the Ontario Energy Board.
- Chaired the Canadian Gas Association (CGA) DSM Task Force and coordinated utilities and stakeholders across Canada to develop best practices and benchmarking.
- Developed and launched a new business offering in Ontario driving partnerships and conservation results.
- Recognized as an innovative industry leader through multiple awards and provided industry mentorship through various roles on Boards and Associations across North America.

Sales Manager (2001 - 2005)

Led a team of over 30 technical professionals serving industrial, commercial and distributed generation customers in Ontario and accountable for business market energy efficiency results and reductions in greenhouse gas emissions. Transformed a lagging business area to become a customer focused energy solutions team. Sponsored the inaugural development of e-tools to increase staff efficiency by over 100%. Implemented thousands of energy efficiency projects across Ontario and successfully validated savings and benefits through the regulatory audit protocol.

Environment, Health & Safety Lead (1994 - 2001)

Delivered environmental engineering and regulatory services related to planning, development and execution of major infrastructure projects requiring Ontario Energy Board, National Energy Board and other approvals. Responsible for elements of the Environment, Health & Safety (EH&S) Management System.

Pipeline Inspector (1993)

AFFILIATIONS AND VOLUNTEER ACTIVITIES

Professional Engineers of Ontario, 1994 – present

Association of Energy Services Professionals (former Board of Directors and Program Chair), 2008 - present

Member, Pan-Canadian Framework Building Labeling Working Group, 2016 - 2018

Innovation, Science and Economic Development – 2016 Project Advisory Committee

IESO Conservation Strategic Advisory Council, 2015

Canadian Energy Efficiency Alliance (former Board member and award recipient), 2007 - 2010

Canadian Gas Association, Chair DSM Task Force, 2010

Ontario Energy Association, former member CDM Advisory Team, 2007 - 2010

Ministry of Energy, former member of Energy Conservation Committee, 2007

Ontario Society for Environmental Management (Past-President), 2001

EDUCATION

Masters of Business Administration, Rotman School of Management, University of Toronto
Finance and Strategy Specialization, 2003

Masters of Engineering, Environmental Engineering, University of Toronto, 1997

B.A.Sc., Civil Engineering, University of Waterloo, 1994