

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>2018-0319</u>	Process: <u>Enbridge Gas Inc., Open Bill Access Services</u>
Party: <u>BOMA</u>	Affiant's Name: <u>Jane Hampel o/b/o Tom Brett</u>
HST Number: <u>R119420859</u>	HST Rate Ontario: <u>13.00%</u>
Full Registrant ☒	Qualifying Non-Profit ☐
Unregistered ☐	Tax Exempt ☐
Other ☐	

Affidavit

I, Jane Hampel, on behalf of Tom Brett, 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 Apr. 22/2020,
(date)



Commissioner for taking Affidavits
K.W. MOVAT

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



File # EB- 2018-0319

Process: Enbridge Gas Inc., Open Bill Access Services

Party: BOMA

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	19,107.00
Disbursements	\$	45.80
HST	\$	2,489.86
Total Cost Claim	\$	21,642.66

Payment Information

Make cheque payable to: Fogler, Rubinoff LLP

Send payment to this address: Attn: Debbie Dey

77 King Street West, Suite 3000

P.O. Box 95, TD Centre North Tower

Toronto, ON M5K 1G8

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2018-0319</u>	Process: <u>Enbridge Gas Inc., Open Bill Access Services</u>
Party: <u>BOMA</u>	Service Provider Name: <u>Tom Brett</u>
SERVICE PROVIDER TYPE (check one) Legal Counsel ☒ Articling Student/Paralegal ☐ Consultant ☐ Analyst ☐ For Consultant/Analyst: ☐ CV attached ☒ CV provided within previous 24 months Year Called to Bar 1971 Completed Years Practising/Years of Relevant Experience 39	
Hourly Rate: \$330	
HST Rate Charged (enter %): 13.0%	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	1.50	\$ 330.00	\$ 495.00	\$ 64.35	\$ 559.35
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	5.50	\$ 330.00	\$ 1,815.00	\$ 235.95	\$ 2,050.95
Attendance	6.50	\$ 330.00	\$ 2,145.00	\$ 278.85	\$ 2,423.85
Proposal Preparation	12.10	\$ 330.00	\$ 3,993.00	\$ 519.09	\$ 4,512.09
Argument					
Preparation	32.30	\$ 330.00	\$ 10,659.00	\$ 1,385.67	\$ 12,044.67
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 19,107.00	\$ 2,483.91	\$ 21,590.91

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



File # EB- 2018-0319

Process: Enbridge Gas Inc., Open Bill Access Services

Party: BOMA

Service Provider Name: Tom Brett

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing		\$ -	\$ -
Courier	\$ 45.80	\$ 5.95	\$ 51.75
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ 45.80	\$ 5.95	\$ 51.75

Prebill # 1085116 Session: 634729 Bill to: 17/Apr/20

Client: F1588

Fraser & Company

Matter: 190444

BOMA - EB-2018-0319: Enbridge
Gas Inc., Open Bill Access
Services

CLIENT LAWYER: Brett, Thomas

MATTER_LAWYER: Brett, Thomas

LAWYER ON BILL: Brett, Thomas

LAST BILL DATE: NONE

FOGLER, RUBINOFF LLP

PAYOR NAME & ADDRESS

Enbridge Gas Inc.
500 Consumers Road
Toronto, ON
M2J 1P8
Canada
Attn: Kevin Culbert

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PAYOR: E1365 MT01

BILL: E1365 MT01

ACCOUNT APPROVAL

Thomas Brett

[] FINAL BILL: MATTER WILL BE MADE INACTIVE

UNBILLED TIME

<u>LAST ENTRY</u>	<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>	<u>FEE CREDIT ALLOCATION</u>	<u>CODE</u>	<u>INIT</u>
20/Feb/20	Thomas Brett	57.90	19,107.00	[] AS DOCKETED	415	TB
TOTAL UNBILLED FEES		57.90	19,107.00	[] WRITE OFF		
PREMIUM (WRITE DOWN)						
TOTAL FEES THIS BILL						

UNBILLED DISBURSEMENTS

<u>LAST ENTRY</u>	<u>CODE</u>	<u>DISB. TYPE</u>	<u>GST</u>	<u>AMOUNT</u>	<u>UNBILLED W/O</u>	<u>ANTICIPATED</u>	<u>TOTAL THIS BILL</u>
21/Feb/20	7	Courier & Delivery	Y	50.41			
TOTAL UNBILLED DISB				50.41	[] WRITE OFF		
TOTAL ADJUSTMENTS							
TOTAL DISB THIS BILL							

TRUST SUMMARY – A Trust was not opened on this Matter

Payor/Matter: E1365/**190444**
 Enbridge Gas Inc.
 BOMA - EB-2018-0319: Enbridge Gas
 Inc., Open Bill Access Services
 Prebill No.: 1085116
 Session ID: 634729

LAST BILL DATE: NONE
 LAST BILLED TO DATE: NONE
 FILE LAWYER: Brett, Thomas
 ASSIGNED LAWYER: Brett, Thomas

BILL ADDRESS
 Enbridge Gas Inc.
 500 Consumers Road
 Toronto, ON M2J 1P8
 CANADA

PAYOR DEFAULT ADDRESS
 500 Consumers Road
 Toronto, ON
 M2J 1P8
 Culbert, Kevin

DETAIL OF UNBILLED TIME

DATE	TIME ID	TIMEKEEPER	HOURS	RATE	AMOUNT	DESCRIPTION
25/Jan/19	3345323	415 TB	1.50	330.00	495.00	Reviewing evidence; Preparing IRs
05/Mar/19	3367540	415 TB	5.50	330.00	1,815.00	Reviewing evidence; Preparing for Settlement Conference
06/Mar/19	3368848	415 TB	6.50	330.00	2,145.00	Attending Settlement Conference
19/Mar/19	3375849	415 TB	2.20	330.00	726.00	Reviewing Draft Settlement Agreement, correspondence, and issues raised by Enercare
09/May/19	3406844	415 TB	1.20	330.00	396.00	Reviewing evidence and EGD response
10/Jun/19	3428366	415 TB	1.50	330.00	495.00	Reviewing materials
12/Jun/19	3428474	415 TB	1.20	330.00	396.00	Preparation for meeting
12/Jun/19	3428476	415 TB	6.00	330.00	1,980.00	Attending meeting
13/Jun/19	3431914	415 TB	1.70	330.00	561.00	Preparing Submission
25/Jul/19	3453075	415 TB	6.70	330.00	2,211.00	Reviewing evidence and materials; Preparing for conference call on settlement
20/Nov/19	3523493	415 TB	0.30	330.00	99.00	Reviewing Procedural Order
11/Feb/20	3582758	415 TB	2.60	330.00	858.00	Reviewing evidence and Transcripts; Preparing Submission
12/Feb/20	3582754	415 TB	2.40	330.00	792.00	Reviewing evidence and Transcripts; Preparing Submission
13/Feb/20	3582763	415 TB	3.10	330.00	1,023.00	Reviewing evidence and Transcripts; Preparing Submission
17/Feb/20	3582702	415 TB	3.30	330.00	1,089.00	Reviewing evidence filed in January, Transcripts, and preparing Submission
18/Feb/20	3582704	415 TB	4.00	330.00	1,320.00	Drafting Submission
19/Feb/20	3582717	415 TB	4.40	330.00	1,452.00	Drafting Submission
20/Feb/20	3582718	415 TB	3.80	330.00	1,254.00	Drafting Submission
TOTAL TIME			57.90		19,107.00	

DETAIL OF UNBILLED DISBURSEMENTS

DATE	DISB ID	CODE	QUAN	AMOUNT	DESCRIPTION
28/Jan/19	8059470	7		11.99	13:01 TB Courier: Blizzard# 7840847 ontario energy-2300 Yonge St-
20/Feb/20	8552847	7		26.43	Federal Express Canada Ltd. Inv# 2-419-23531
21/Feb/20	8552532	7		11.99	11:02 TB Courier: Blizzard# 7981645 ONTARIO ENERGY BOARD-2300 Yonge St-Fatima
TOTAL DISB				50.41	

**Invoice Number**

2-419-23531

Invoice Date

Feb 27, 2020

Account Number

1044-7990-1

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FedEx Express TB190444 Reference Detail**Ship Date:** Feb 20, 2020**Cust. Ref.:** TB190444**Ref.#2:****Payor:** Shipper**Ref.#3:**

Fuel Surcharge - FedEx has applied a fuel surcharge of 12.75% to this shipment.

Package Delivered to Recipient Address - Release Authorized

Automation	CAFE	Sender	Recipient
Tracking ID	429488762990	BARRY/PARVIN	TOM BRETT
Service Type	FedEx First Overnight	FOGLER RUBINOFF-LLP	2 -40 QUINELLA DRIVE
Package Type	FedEx Envelope	77 KING STREET WEST	LONDON ON N6K 4K9 CA
Orig/Dest	Y00/YXU	27TH FLOOR MAILROOM	
Zone	01	TORONTO ON M5K 1G8 CA	
Packages	1		
Rated Weight	1.0 lb, 0.5 kg	Transportation Charge	21.30
Delivered	Feb 21, 2020 at 09:45	Fuel Surcharge	2.72

Subtotal

24.02

Canada HST (ON)

3.12

Total

CAD

\$27.14

TB190444 Reference Subtotal**CAD****\$27.14****Total FedEx Express****CAD****\$837.48**

			Melloy FR LP 77 King St. West Toronto M5K 1G8	20 Toronto St Toronto M5C 2B8	20-02-21 09:53	RHS			
		20-02-21 07:33	canada post 222 Bay St Toronto M5J 2W4	Fogler Rubinoff 77 King St. West Toronto M5K 1G8 15 lbs \$2.25	Parvin 20-02-21 08:29	999999 mlr	11.27	1.47	12.74
102 7981425	0	20-02-21 08:22	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	CIBC BANK 199 Bay St Toronto M5L 1B9 RET \$9.02	Erica-parvin 20-02-21 09:14	190419 GM	18.04	2.35	20.39
103 7981426	0	20-02-21 08:23	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	TD BANK 55 King St W Toronto M5K 1A2 RET \$7.50	Sean -parvin 20-02-21 09:15	190419 GM	15.00	1.95	16.95
104 7981431 PU FOR BETTY LAU PL	1	20-02-21 08:31	JD EKPENYONG LAW FIRM 393 University Ave Toronto M5G 1E6	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	Parvin 20-02-21 09:51	190825 BL	6.05	0.79	6.84
105 7981440	1	20-02-21 08:51	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	BORDEN LADNER 22 Adelaide St W Toronto M5H 4E3	Gord 20-02-21 10:07	164423 SIR	6.05	0.79	6.84
106 7981479	1	20-02-21 09:40	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	GARDINER ROBERTS 22 Adelaide St W Toronto M5H 4E3	Gord 20-02-21 11:07	195260 INK	6.05	0.79	6.84
107 7981481	1	20-02-21 09:42	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	ONTARIO LABOUR RELATION BOARD 505 University Ave Toronto M5G 2P1	Matthew 20-02-21 11:18	200989 SAB	6.05	0.79	6.84
108 7981486	1	20-02-21 09:44	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	PARADISE HOMES NORTH WEST INC 1 HERONS HILL WAY, TORONTO M2J 0G2	Pamela 20-02-21 11:45	190226 JBG	29.15	3.79	32.94
109 7981510	1	20-02-21 10:17	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	THE TORONTO DOMINION BANK 66 Wellington St W Toronto M5K 1E6	Tatiana3 20-02-21 10:29	195902 AYS	6.05	0.79	6.84
110 7981514	1	20-02-21 10:19	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	CANOPY RIVERS INC 40 King St W Toronto M5H 3Y2	Emilia 20-02-21 10:43	172995 MTM	6.05	0.79	6.84
111 7981519 BY 4:00 PL---	2	20-02-21 10:23	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	TD CANADA TRUST 4720 Tahoe Blvd Mississauga L4W 5P2 15 lbs \$2.25	T dorjee 20-02-21 11:50	195902 AYS	29.48	3.83	33.31
112 7981537	0	20-02-21 10:37	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	Toronto Water 275 Merton St Toronto M4S 1A7	xeanla 20-02-21 11:39	195139 LW	27.23	3.54	30.77
113 7981553 BY 2:00 PL	0	20-02-21 10:50	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	CITY OF MISSISSAUGA 300 City Centre Dr Mississauga L5B 3C1	Rashed A 20-02-21 12:24	194312 MJC	65.45	8.51	73.96
114 7981566	1	20-02-21 10:56	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	YOUR HOME DEVELOPMENTS 4965 Steeles Ave W North York M9L 1R4	Darya 20-02-21 12:27	201293 JF	36.30	4.72	41.02
115 7981569	1	20-02-21 11:00	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	CANADIAN MORTGAGE CAPITAL CORP 20 Adelaide St E Toronto M5C 2T6	Lauri 20-02-21 12:11	194373 EAV	6.05	0.79	6.84
116 7981643	4	20-02-21 11:43	Folger Rubinoff LLP / Melloy FR LP 77 King St. West Toronto M5K 1G8	ROSSCLAIR CONTRACTORS INC 59 Comstock Rd Scarborough M1L 2G6	Tracy pellerin 20-02-21 15:27	194596 KWM	10.89	1.42	12.31
117 7981645	4	20-02-	Folger Rubinoff LLP /	ONTARIO ENERGY BOARD	Fatima	190444	10.89	1.42	12.31 *****

2/4/2010

				West Toronto MSK 1G8	M5J 2K2 RET \$7.50							
14	7840801		4	19-01-28 12:27	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	CHRISTINA AND EDWIN CHUNG 45 Research Rd East York M4G 2G8	Lesley C 19-01-29 13:39	167614 RD				
15	7840804		4	19-01-28 12:29	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	ROYAL BANK OF CANADA 10 York MILLS Rd North York M2P0A2	Sri 19-01-29 09:10	184741 AYS	10.89	1.42		
16	7840805 PLS LEAVE IN SAFE PLACE IF NOBODY IS AVAILBLE FOR SIGNATURE		4	19-01-28 12:31	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	CANADIAN PROCESS SERVICE 142 Catharine St S HAMILTON L8N2J8	Jacklyn 19-01-29 08:39	176307 RBM	35.48	4.61	40.09	
17	7840811		0	19-01-28 12:37	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	McCarthy Tetrault 66 Wellington St W Toronto MSK 1E6	Davld 19-01-28 12:58	151550 JBG	9.02	1.17	10.19	
18	7840823 PLS DELIVER BY 11:30AM		1 ND	19-01-28 12:58	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	SOLMAR CORP 122 Romina Dr Concord L4K 4Z7	Dina 19-01-29 09:33	183819 VW	58.58	7.62	66.2	
19	7840847		4	19-01-28 13:37	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	ontario energy 2300 Yonge St Toronto M4P 1E4	Charlie 19-01-29 10:47	190444 TB	10.89	1.42	12.31	*****
20	7840848		4	19-01-28 13:39	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	CANADIAN TIRE CORP 2180 Yonge St Toronto M4S 2V8	Pat 19-01-29 10:37	173713 SAC	10.89	1.42	12.31	
21	7840863		4	19-01-28 14:04	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	2459887 ONTARIO INC 220 King Rd Richmond Hill L4E 2W1	M box 19-01-29 09:16	166912 RHS	16.78	2.18	18.96	
22	7840865		0	19-01-28 14:05	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	BANK OF MONTREAL 100 King St W Toronto MSK *** RET \$7.50	Amir-parvin 19-01-28 15:04	999999 ACC	15.00	1.95	16.95	
23	7840869		0	19-01-28 14:06	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	MERIDIAN CREDIT BANK 145 Wellington St W Toronto M5J 1H8 RET \$7.50	Amos-parvin 19-01-28 15:21	999999 ACC	15.00	1.95	16.95	
24	7840879		3 ND	19-01-28 14:26	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	OXFORD COLLEGE 670 Progress Ave Scarborough M1H 3A4	Kinza bawani 19-01-29 11:43	181211 HMR	16.50	2.15	18.65	
25	7840880		3 ND	19-01-28 14:28	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	CANADIAN STANDARD LEGAL SERVICES 263A Bay Thorn Dr Thornhill L3T 3V8	Bahman 19-01-29 11:03	181211 HMR	24.20	3.15	27.35	
26	7840886		1 ND	19-01-28 14:36	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	HUMAN RIGHTS TRIBUNAL 655 Bay St Toronto M5G 1E5 15 lbs \$2.25	Doreen 19-01-28 15:24	181211 HMR	8.30	1.08	9.38	
27	7840888		4	19-01-28 14:40	Fogler Rubinoff 77 King St. West Toronto MSK 1G8	ONTARIO SUPERIOR COURT OF JUSTI 7755 Hurontario St Brampton L6W 4T6	Nusrat 19-01-29 12:26	190775 SLJ	16.78	2.18	18.96	