

Ms. Christine Long
Registrar & Board Secretary
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

May 20, 2020

**Re: EB-2019-0188 North Bay Community Expansion Project
Pollution Probe Cost Claim**

Dear Ms. Long:

In accordance with the OEB's Decision and Order dated May 7, 2020, please find attached the cost claim from Pollution Probe for the above noted proceeding. Pollution Probe followed and supported the process defined by the Board and represented a direct consumer and policy perspective aligned with the Board's mandate in the proceeding (i.e. Ratepayer, environmental, policy, and financial issues). Pollution Probe acted efficiently during the proceeding and enhanced the evidentiary base for the Board's review and Decision.

Pollution Probe's also identified several issues related to the evidence which were addressed during the proceeding, including clarification of project scope related to approvals sought, system expansion surcharge, relevant DSM coordination and outreach activities, project economics/funding risk, pipeline sizing, capacity and justification (i.e. pipeline oversizing) and relevant policy objectives (including cost-effective access to natural gas and energy efficiency for the community). Due to the environmentally sensitive nature of the proposed project area Pollution Probe also highlighted potential areas of concern related to project planning, approval and construction.

Respectfully submitted on behalf of Pollution Probe.



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

cc: Asha Patel, Enbridge (email via EGIRegulatoryProceedings@enbridge.com)
Tania Persad, Senior Legal Counsel, Enbridge Regulatory (via email)
Interested Parties (via email)
Richard Carlson, Pollution Probe (via email)

Ontario Energy Board

COST CLAIM FOR HEARINGS



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>2019-0188</u>	Process:	<u>North Bay Community Expansion</u>
Party:	<u>Pollution Probe</u>	Affiant's Name:	<u>Michael Brophy</u>
HST Number:	<u>108092701 RT0001</u>	HST Rate Ontario:	<u>13.00%</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(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.

Michael Brophy
Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,
in the Province/State of Ontario, on May 19, 2020.
(date)

Nicky N.F. Hua
Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2019-0188 Process: North Bay Community Expansion

Party: Pollution Probe

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	15,345.00
Disbursements	\$	-
HST	\$	1,994.85
Total Cost Claim	\$	17,339.85

Payment Information

Make cheque payable to: Pollution Probe

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

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2019-0188</u>	Process: <u>North Bay Community Expansion</u>
Party: <u>Pollution Probe</u>	Service Provider Name: <u>Michael Brophy</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="26"/>
Articling Student/Paralegal <input type="checkbox"/>	<input type="checkbox"/>	
Consultant <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Hourly Rate: <input type="text" value="\$330"/>
Analyst <input type="checkbox"/>	<input type="checkbox"/>	

For Consultant/Analyst: <input type="checkbox"/> attached	HST Rate Charged (enter %): <input type="text" value="13.0%"/>
<input checked="" type="checkbox"/> provided within previous 24 months	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation	19.50	\$ 330.00	\$ 6,435.00	\$ 836.55	\$ 7,271.55
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	11.00	\$ 330.00	\$ 3,630.00	\$ 471.90	\$ 4,101.90
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	16.00	\$ 330.00	\$ 5,280.00	\$ 686.40	\$ 5,966.40
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 15,345.00	\$ 1,994.85	\$ 17,339.85

Michael Brophy Consulting Inc.

INVOICE

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

DATE: 19/5/2020
INVOICE # OEB-3-2020
FOR: EB-2019-0188
Enbridge North Bay LTC

Bill To:

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

DESCRIPTION	AMOUNT
Consulting - OEB EB-2019-0188 Enbridge North Bay LTC & Community Expansion Detailed timesheet for Michael Brophy attached Total: 46.5 hours @ \$330 per hour	15,345.00
HST (HST #: 75225 9333 RT0001)	1,994.85
TOTAL	\$ 17,339.85

Make all cheques payable to **Michael Brophy Consulting Inc.**

If you have any questions concerning this invoice, contact:
Michael Brophy, President, Michael Brophy Consulting Inc.
Phone: 647-330-1217, email: michael.brophy@rogers.com
Business Number: 75225 9333

THANK YOU FOR YOUR BUSINESS!

EB-2019-0188

North Bay Community Expansion LTC

M. Brophy

Date	Hrs	Description
2/19/2020	3.00	Evidence review and correspondence with R. Carlson (Pollution Probe)
2/29/2020	8.00	Detailed comparison of the application, Environmental Report and mitigation plan with pipeline route and requirements outlined in the OEB Environmental Guidelines. Review of North Bay community energy plan requirements.
3/1/2020	6.00	Project assessment against Provincial policy, community energy planning and DSM
3/2/2020	2.50	MOECC OPCC comments and mitigation review. Provincial Policy Statement Guidance document and Natural Heritage Reference Manual comparison
3/6/2020	6.00	Review from EB-2015-0179 (Enbridge precedent for System Surcharge approval). Coordination correspondence with K. Elson (ED). Preparation of draft interrogatories and discussion with R. Carlson (Pollution Probe)
3/8/2020	2.00	Review from EB-2015-0179 of project post-construction report and Enbridge precedent for System Surcharge approval and comparison to EBO 188 requirements.
3/10/2020	3.00	Finalise interrogatories and file
4/11/2020	3.00	Submission preparation including evidence review, IR responses and Argument in chief
4/12/2020	4.00	Submission preparation, evidence & IR response review, environmental impacts & OEB Environmental Guidelines reference
4/13/2020	6.00	Submission prep including evidence review, IR responses and Enbridge Argument in chief.
4/16/2020	3.00	Correspondence with R. Carlson (Pollution Probe) and K. Elson (ED). Complete submission and file
total	46.50	