

Elson Advocacy

June 2, 2020

BY RESS AND EMAIL

Ms. Christine Long

Board Secretary

Ontario Energy Board

2300 Yonge Street, Suite 2700, P.O. Box 2319

Toronto, Ontario M4P 1E4

Dear Ms. Long:

Re: EB-2019-0159 – Enbridge Gas Inc. – Kirkwall-Hamilton Pipeline Project

Pursuant to *Procedural Order #7*, enclosed please find the cost claim of Environmental Defence in the above matter up to today's date. Environmental Defence requests that this claim be reimbursed in full and submits that it is reasonable and prudent. Environmental Defence has played a significant role in this proceeding as it did in the previous Dawn-Parkway system expansion case. For example, Environmental Defence prepared over 52 pages of detailed interrogatories. It is also co-sponsoring evidence from two expert witnesses.

Furthermore, Environmental Defence has front-loaded much of its review of the materials and analysis of the issues so as to be better prepared for the hearing, should one be ultimately required in the circumstances. In addition, Environmental defence has acted responsibly and raised important issues not raised by others, as highlighted in its interrogatories. With respect to its responsible participation, Environmental Defence has worked to coordinate with other parties, which takes time, and made significant efforts to file interrogatories weeks before the deadline to assist with the regulatory timeline.

Please do not hesitate to contact me if any further details are required.

Yours truly,



Kent Elson

cc: Parties in the above proceeding

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>2019-0159</u>	Process: <u>Hamilton Pipeline</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"/>	Qualifying Non-Profit <input type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <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 June 2, 2020.
(date)



Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2019-0159

Process: Hamilton Pipeline

Party: Environmental Defence

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	18,308.00
Disbursements	\$	30.00
HST	\$	2,383.94
Total Cost Claim	\$	20,721.94

Payment Information

Make cheque payable to: Elson Advocacy Professional Corporation

Send payment to this address: Elson Advocacy
1062 College Street
Toronto, Ontario
M6H 1A9

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2019-0159</u>	Process: <u>Hamilton Pipeline</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"/>	2009	10
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: <u>\$230</u>
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		HST Rate Charged (enter %): <u>13.0%</u>
<input type="checkbox"/> CV provided within previous 24 months		

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	72.40	\$ 230.00	\$ 16,652.00	\$ 2,164.76	\$ 18,816.76
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	7.20	\$ 230.00	\$ 1,656.00	\$ 215.28	\$ 1,871.28
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 18,308.00	\$ 2,380.04	\$ 20,688.04

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2019-0159

Process: Hamilton Pipeline

Party: Environmental Defence

Service Provider Name: Kent Elson

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing	\$ 30.00	\$ 3.90	\$ 33.90
Courier		\$ -	\$ -
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ 30.00	\$ 3.90	\$ 33.90

Elson Advocacy

Invoice

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

June 2, 2020

File #: 0049
Inv #: 1056

RE: Enbridge Kirkwall-Hamilton Pipeline EB-2019-0159

DATE	DESCRIPTION	HOURS	LAWYER
Nov 22, 2019	Review Kirkwall application	0.20	KE
Nov 27, 2019	Detailed review of Kirkwall-Hamilton application; prepare notes re application issues; various correspondence	3.50	KE
Nov 28, 2019	Review materials re jurisdiction of OEB vs CER re transmission pipelines; various correspondence	0.40	KE
Dec 12, 2019	Further review of materials re Kirkwall-Hamilton project	0.90	KE
Dec 17, 2019	Various correspondence re Kirkland-Hamilton pipeline	0.10	KE
Dec 18, 2019	Various correspondence re Kirkland-Hamilton pipeline	0.10	KE
Dec 19, 2019	Meet with client re Hamilton Pipeline application; further review of application	2.00	KE
Dec 20, 2019	Review Hamilton Pipeline application and analyze potential GHG impact; various correspondence	1.90	KE
Jan 14, 2020	Various correspondence; draft plan for the proceeding	0.40	KE
Jan 15, 2020	Review materials and draft notes relating to potential interrogatories re pipeline and IRP issues; various correspondence	1.50	KE

Jan 21, 2020	Draft correspondence to the IESO	0.50	KE
Jan 23, 2020	Call re intervenor coordination	0.50	KE
Jan 27, 2020	Review objection to intervention from Enbridge; call with J. Gibbons; call with D. Poch; various further correspondence	0.70	KE
Jan 28, 2020	Draft response to Enbridge's objections regarding scope	3.00	KE
Jan 29, 2020	Various correspondence	0.20	KE
Jan 30, 2020	Review procedural order; review materials and prepare comments on the issues list	0.40	KE
Jan 31, 2020	Draft comments on the issues list; various correspondence	4.50	KE
Feb 1, 2020	Review and revise comments on issues list; draft correspondence to client	0.70	KE
Feb 7, 2020	Various correspondence	0.30	KE
Feb 10, 2020	Final review and revision of issues list comments; various correspondence; draft interrogatories	0.50	KE
Feb 11, 2020	Prepare interrogatories	2.90	KE
Feb 12, 2020	Draft interrogatories; various correspondence	4.00	KE
Feb 13, 2020	Draft interrogatories	2.60	KE
Feb 14, 2020	Draft interrogatories; various calls and correspondence	4.50	KE
Feb 18, 2020	Various correspondence; preparation re potential expert evidence	0.70	KE
Feb 19, 2020	Preparation re potential expert evidence	0.30	KE
Feb 20, 2020	Review submissions of Enbridge re the issues list; draft response	2.00	KE
Feb 21, 2020	Finalize submissions responding to Enbridge's objections; various further correspondence; draft interrogatories	3.00	KE
Feb 23, 2020	Draft interrogatories	3.40	KE

Feb 24, 2020	Draft interrogatories	6.30	KE
Feb 25, 2020	Draft interrogatories; draft correspondence; review interrogatories per comments; various further correspondence	4.70	KE
Mar 2, 2020	Review materials re future Dawn-Parkway expansions; revise interrogatories; draft correspondence re stakeholder co-ordination; further revisions to the interrogatories per comments received; review report re stranded assets arising from clean energy; draft additional interrogatories; further correspondence	3.20	KE
Mar 6, 2020	Review procedural order; various correspondence	0.70	KE
Mar 7, 2020	Review and finalize interrogatories to incorporate comments and address procedural order; draft correspondence	2.50	KE
Mar 9, 2020	Add final questions to interrogatories; submit interrogatories; various correspondence	0.80	KE
Mar 10, 2020	Various correspondence re potential experts, intervenor coordination, and interrogatories	1.20	KE
Mar 11, 2020	Various correspondence	0.20	KE
Mar 16, 2020	Review various correspondence	0.20	KE
Mar 17, 2020	Various calls and correspondence re expert witnesses and other matters	1.00	KE
Mar 20, 2020	Various correspondence	0.10	KE
Mar 24, 2020	Draft additional interrogatories; map out questions for experts and otherwise prepare re expert evidence	2.00	KE
Mar 25, 2020	Further draft questions for experts; various correspondence	0.60	KE
	Various preparation and correspondence re interrogatories	0.50	KE
Mar 26, 2020	Review Supply Plan as it relates to the Hamilton Pipeline	0.80	KE
Mar 27, 2020	Review and comment on expert interrogatories; various correspondence	0.40	KE

Apr 1, 2020	Review application; draft additional interrogatories	1.50	KE
Apr 2, 2020	Review procedural order; various correspondence	0.30	KE
Apr 3, 2020	Correspond with the experts re timing of evidence; draft correspondence to the Board requesting an extension of time and addressing Enbridge's request for a compressed timeline; review further interrogatories; various correspondence	1.30	KE
Apr 21, 2020	Planning re expert evidence; various correspondence	1.00	KE
Apr 22, 2020	Various correspondence; review materials re gas demand for Ontario municipalities	0.50	KE
Apr 27, 2020	Review Procedural Order and diarize deadlines	0.10	KE
May 1, 2020	Various correspondence/calls	0.60	KE
May 4, 2020	Various correspondence	0.30	KE
May 5, 2020	Draft correspondence to the Board re Enbridge's request for an adjournment; extensive correspondence re related issues and intervenor coordination	2.60	KE
May 11, 2020	Review various parties' submissions re adjournment	0.20	KE
May 13, 2020	Review correspondence from EGDI re adjournment	0.20	KE
May 19, 2020	Review procedural order; various correspondence	0.10	KE
	Total Hours and Fees	79.60	\$18,308.00
	Total HST on Fees		\$2,380.04

DISBURSEMENTS

Jan-12-20	Paid To: Toronto Printing House	15.00
Jan-29-20	Paid To: Toronto Printing House	15.00
	Totals	<hr/> \$30.00

	Total HST on Disbursements	\$3.90
TOTALS		
	Total Fees & Disbursements	\$18,338.00
	Total HST	\$2,383.94
	Total Fees, Disbursements, & HST	\$20,721.94
		<hr/>
	Amount Now Due	\$20,721.94
Total HST	\$2,383.94	



Invoice **081070120**

Bill To: Elson Advocacy
Kent Elson
168 Wallace Ave
Toronto, ON, M6H 1V2

Account: 626419
Date: January 10, 2020
Ordered By: Kent Elson
Phone: (416) 906-7305
E-mail: kent@elsonadvocacy.ca

Ship To: Ontario Energy Board
2300 Yonge Street Suite 2700, P.O. Box
2319
Toronto, ON, M4P 1E4
Attention: Kirsten Walli (416) 481-1967

Instructions: Attn:Kirsten Walli

Job Name: 0049

TPH Direct: 1853091

Item	1-Sided	2-Sided	Quantity	Description	HST	Job Price
A	9	0	2	B-W Copies (ist page in colour) Staple	X	\$10.11
Digital B&W Prints: , Black Ink: , Digital Colour Prints: 1st pg, 8.5x11: , Staple: , Text: ,						
B	1	0	1	File processing - pre-flight, virus scan, temp storage	X	\$4.89
File Handling: ,						

Branch Contact: Christina Stark
Address: 2200 Yonge Street
2nd Flr. - Concourse Level
Toronto, ON, M4S 2C6
Phone: 416-482-2260

Net Sales	\$15.00
Shipping	\$0.00
Sub Total	\$15.00
HST	\$1.95
Total Price	\$16.95
Deposit/Pmt	\$16.95
CAD Amount Due	\$0.00
Master Card 1/10/2020	\$16.95

REMIT TO: The Printing House Ltd., 1403 Bathurst Street, Toronto, ON M5R 3H8, Tel (416) 536-6113, 1-866-TPH-Direct (866-874-3473)

TERMS: Net due upon receipt of invoice.

H.S.T/G.S.T.#: 105242887RT

Q.S.T.#: 1202417066



Invoice **081070416**

Bill To: Elson Advocacy
Kent Elson
168 Wallace Ave
Toronto, ON, M6H 1V2

Account: 626419
Date: January 29, 2020
Ordered By: Kent Elson
Phone: (416) 906-7305
E-mail: kent@elsonadvocacy.ca

Ship To: Ontario Energy Board
2300 Yonge Street Suite 2700, P.O. Box
2319
Toronto, ON, M4P 1E4
Attention: Kirsten Walli (416) 481-1967

Instructions: Attn:Kirsten Walli

Job Name: 0049

TPH Direct: 1856179

Item	1-Sided	2-Sided	Quantity	Description	HST	Job Price
A	4	0	2	0049 Colour Copies Staple	X	\$10.11
Digital Colour Prints: , 8.5x11: , Staple: , CMYK: , Text: ,						
B	1	0	1	File processing - pre-flight, virus scan, temp storage	X	\$4.89
File Handling: ,						

Branch Contact: Christina Stark
Address: 2200 Yonge Street
2nd Flr. - Concourse Level
Toronto, ON, M4S 2C6
Phone: 416-482-2260

Net Sales	\$15.00
Shipping	\$0.00
Sub Total	\$15.00
HST	\$1.95
Total Price	\$16.95
Deposit/Pmt	\$16.95
CAD Amount Due	\$0.00
Master Card 1/29/2020	\$16.95

REMIT TO: The Printing House Ltd., 1403 Bathurst Street, Toronto, ON M5R 3H8, Tel (416) 536-6113, 1-866-TPH-Direct (866-874-3473)

TERMS: Net due upon receipt of invoice.

H.S.T/G.S.T.#: 105242887RT

Q.S.T.#: 1202417066