

APPENDIX "B"

FORM 3

AFFIDAVIT IN SUPPORT OF COST CLAIM

<u>EA 2018-0270</u> Board File Number	<u>FRANK KENOE</u> Party Name
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Items Claimed excluding GST

Legal/Consultant Fees	+	Disbursements	=	Net Sub-Total
\$ _____		\$ _____		\$ _____

Goods and Services Tax

..... Full Registrant Unregistered (GST at 5%) Other _____ GST at _____ % Qualifying Non-Profit (GST at 2.5%) Tax Exempt (no GST).....
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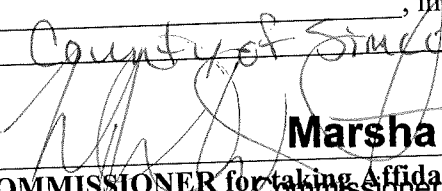
Total Cost Claim


Net Sub-Total	+	Total GST Claimed	=	Total Cost Claim
\$ _____		\$ _____		\$ <u>614.50</u>

I, (name) FRANK KENOE, of the (City, Town, etc.) ORILLIA in the
 (County, Regional Municipality, etc.) of Simcoe, **MAKE OATH AND SAY:**

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 the above Cost Claim and all of the documentation in support of it.
3. The above Cost Claim represents only costs incurred directly and necessarily by the party for the purpose of its intervention in the Ontario Energy Board process (the file number of which is set out above).
4. The above Cost Claim does not include any costs incurred for work done, or time spent, by employees or officers of the party as described in section 6.05 of the Board's Practice Direction on Cost Awards.

SWORN (OR AFFIRMED) BEFORE ME at the (City, Town, etc.) of Orillia
 in the (County, Regional Municipality, etc.) of County of Simcoe on (date) June 17/20.


Marsha Dianne Wright
 Commissioner for taking Affidavits
 Commissioner, etc. Province of Ontario


 Signature of Deponent

Expenses Frank Kehoe Tech Conference Oct 3-4 2019 and Oral Hearing Dec 2-3 2019

EB 2018.0270

Tech Conference Expenses Oct 3 & 4th 2019

Mileage Orillia to and from Toronto - Oct 2 nd & Oct 4 th 2019 125k x 2 @40c	= \$100.00
Room charge Oct 2 nd and 3 rd \$50.00 per day	= \$100.00
Evening meals Oct 2 nd & 3 rd 2019	= \$35.00
Breakfast Oct 3 rd & 4 th 2019	= \$14.00
Lunch Oct 3 rd & 4 th 2019	= \$22.50
Bus and subway Oct 3 rd & 4 th 2019	= \$8.00
TOTAL	= \$279.50

Oral Hearing Expenses Dec 2nd and 3rd 2019

Mileage to and from Orillia to Toronto - Dec 1 st & 3 th 2019 125k x 2 @ 40c	= \$100.00
Room charge Dec 1 st & 2 nd 2019 \$50.00 per day	= \$100.00
Evenings meals Dec 1 st & 2 nd 2019	= \$32.00
Breakfast Dec 2 nd & 3 rd 2019	= \$14.00
Lunch Dec 2 nd & 3 rd 2019	= \$23.00
Bus and subway Dec 2 nd & 3 rd 2019	= \$8.00
TOTAL	= \$277.00

Sundry expenses

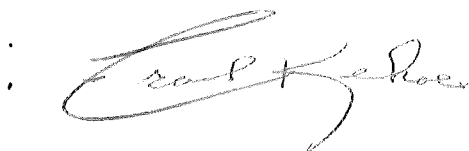
Secretarial costs	= \$44.00
Photo copies	= \$14.00
TOTAL	= \$58.00


TOTAL EXPENSES FOR TECH CONFERENCE AND ORAL HEARING

\$279.50 + \$277.00 + 58.00

= \$614.50

JUNE 17, 2020





Marsha Dianne Wright

Commissioner, etc. Province of Ontario

for LISA WELCH MADDEN LAW FIRM

Expires June 25, 2023

Frank Kehoe
304 – 95 Matchedash St. N.
Orillia, ON L3V 4T9
705-325-6608
Fm.kehoe@rogers.com

June 9, 2020

Shelly-Anne Connell
Ontario Energy Board Secretary
2300 Yonge St., 27th Floor
Toronto, ON

RE. EB-2018-0270

Dear Secretary,

Note the required two copies sent you dated May 25, 2020 have a typo on the first page under item 4. Section 39(1) should read 'a council' not commission.

City of Orillia By-law 2000-145

There should be no question that the city council is totally dependent on the insertion of section 67(1) (see page 3 and 4 of my Mulroney letter). I submit that the Canadian law gives full protection to elections and the vote of the electors in referendums hence section 67(1) does not conform to federal laws so in my mind is illegal.

City of Orillia By-law 2000-146

Item 1 of this by-law is a mandatory requirement of the transfer process to a new corporation, Orillia Power Distribution Corporation, registered on October 26th 2000 with a false commission transfer document never coming from the elected commission as required.

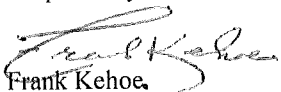
Note, the minutes of the last meeting of the Orillia Water Light and Power Commission (OWLP) dated October 10th 2000 introduces an absolute fraud related to Motions 4 and 6 of the alleged transfer. The Board needs to acknowledge and accept the sworn oath of the elected commissioners as contained in pages 12 and 13 of the letter to the Ontario Attorney General dated June 10th 2019.

As an intervenor on EB-2018-0270, I put before the OEB board that **if** the Provincial Attorney General Ministry supports that section 67(1) overrides the legal vote of the Orillia electors and the other sections of the Public Utilities Act that have all been in existence for 87 years then, as an intervenor I will certainly appeal through the courts. In the interval the Board must give credence to the sworn material given to the board by the then elected OWLP Commission and do it's own legal confirmation of Canadian law.

Voting in particular on duly called referendums, particularly on ones that create laws, is one of our inalienable rights as citizens of Canada. We as Canadians and I as an intervenor on EB-2018-0270 together with, I hope, the Energy Board must protect and defend this power given to us under our Constitution and Bill of Rights. Clearly, this section 67(1) is against federal law and the Ontario Energy Board and the Attorney General Ministry must recognize that the rule of law must be followed by all parties.

I would respectfully request a reply from the Energy Board on this matter and whether the Board would stay their decision until the covid-19 pandemic is behind us and I have access to my legal counsel and secretarial support and, most of all, to get a reply from the Attorney General Ministry on my letter dated June 10th 2019.

Respectfully submitted,


Frank Kehoe

Intervenor EB-2018-0270

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Respectfully submitted,



Frank Kehoe
Intervenor EB-2018-0270

#304 95 Matchedash St., N.

Orillia, ON L3V 4T9

June 10th 2020

Tel: 705-2325-6608

Email: fm.kehoe@rogers.com

The Honourable Doug Ford

Premier of Ontario

Room 281, Legislative Building

Queen's Park, Toronto, Ontario

M7A 1A1

Dear Premier Ford

One year ago June 10th 2019, I sent the attached letter to the then Provincial Attorney General, Caroline Mulroney, with copies to yourself, Jill Dunlop MPP and our Lieutenant Governor the Hon. Elizabeth Dowdeswell. The letter, I though, was self-explanatory and stressed the importance of an early reply which impacted other ongoing matters. **I am yet to receive a reply.**

I'am sure, Mr. Premier, you will agree that this matter could have been easily addressed in a much shorter time with a simple explanation that Section 67(1) inserted into the Public Utilities Act did not override existing legislation or the vote of the Orillia electorate that took place prior to the establishment of the First Pubic Utilities Act. Even in those early days our Canadian Constitution protected the electoral rights and referendum outcomes of its citizens and was enshrined as part of our Canadian Democracy.

In this case, the Ontario Energy Board in the matter of case 2018-0270 are operating on the false premise that the Orillia city council now are operating legally on the sale of the Orillia Power Distribution Corporation to Hydro One. This was alleged to be now possible using section 67(1) to circumvent both provincial and federal laws with our having to go back to their Orillia electorate.

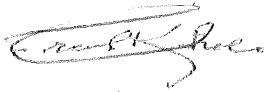
The Public Utilities Act has always included a statement dating back to first Public Utilities Act 1913 which reads: **"A council may by bylaw passed with the accent of the municipal electors repeal any bylaw passed under Section"** (*the section varies over the years*).

The reply to my letter to the Attorney General date June 10th 2019 should not impact on the situation as all that I require is a broad statement from the Attorney General Ministry that section 67 (1)

now inserted in the Public Utilities Act does not override the voters rights in election referendum outcomes, nor federal electoral laws, our Constitution and Bill of Rights and Freedoms.

Mr. Premier, I would respectfully request that you put a temporary hold on any decision by the Ontario Energy Board case EB 2018-0270 until the Attorney General Ministry makes its ruling.

Respectfully submitted,



Frank Kehoe

CC: Lieutenant Governor The Hon. Elizabeth Dowdeswell

Shelly Anne Connell, Secretary Ontario Energy Board ✓