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Our File # 339583-000267

By electronic filing

October 8, 2020

Christine E. Long
Registrar and Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2701
Toronto ON M4P 1E4

Dear Ms. Long,

**Re: Industrial Gas Users Association (“IGUA”) Motion to Review and Vary
Board File #: EB-2020-0156**

Pursuant to the Board’s Decision and Order dated September 24, 2020 in the above-noted proceeding, we enclose a Cost Claim on behalf of our client, Canadian Manufacturers & Exporters (“CME”).

We respectfully request that the Board accept the late filing of CME’s Cost Claim. Please accept our sincere apology for the delay in submitting the Cost Claim.

A copy of this Cost Claim has been forwarded to EGI.

Please contact me if you have any questions or require any additional information.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'Scott Pollock', is written over a light blue horizontal line.

Scott Pollock

Encl.

c. Mark Kitchen (EGI) – *by email*
Alex Greco (CME) – *by email*

116725703:v1

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-	2020-0156	Process:	Industrial Gas Users Association ("IGUA") Motion to Review and Vary
Party:	Canadian Manufacturers & Exporters	Affiant's Name:	Scott Pollock
HST Number:	10807 5482 RT0001	HST Rate Ontario:	13.00%
	Full Registrant <input type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/>	
	Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>	
	Other <input checked="" type="checkbox"/>		

Affidavit

I, **Scott Pollock**, of the City of **Ottawa**
in the Province 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 BEFORE ME over video conference this 6th day of October, 2020. The Affiant was located in Ottawa, Ontario, while the Commissioner, Emma Blanchard, was located in Ottawa, Ontario.

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- **2020-0156** Process: **Industrial Gas Users Association ("IGUA") Motion to Review and Vary**

Party: **Canadian Manufacturers & Exporters**

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$6,069.00
Disbursements	\$0.00
HST	\$788.97
Total Cost Claim	\$6,857.97

Payment Information

Make cheque payable to: **Borden Ladner Gervais LLP**

Send payment to this address: **Borden Ladner Gervais LLP**
Attention: Emma Blanchard
World Exchange Plaza
100 Queen Street, Suite 1300
Ottawa, ON K1P 1J9

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB-	2020-0156	Process:	Industrial Gas Users Association ("IGUA") Motion to Review and Vary		
Party:	Canadian Manufacturers & Exporters	Service Provider Name:	Scott Pollock		
Service Provider Type (check one)		Year Called to Bar	Completed Years Practising/ Years of Relevant Experience		
Legal Counsel <input checked="" type="checkbox"/>		2016	4		
Articling Student/Paralegal <input type="checkbox"/>					
Consultant <input type="checkbox"/>			Hourly Rate: \$170.00		
Analyst <input type="checkbox"/>					
For Consultant/Analyst: <input type="checkbox"/>		CV attached	HST Rate Charged (enter %)		13%
<input type="checkbox"/>		CV provided within previous 24 months			

Statement of Fees Being Claimed					
	Hours	Hourly rate	Subtotal	HST	Total
Pre-Hearing Conference					
Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Attendance		\$170.00	\$0.00	\$0.00	\$0.00
Technical Conference					
Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Attendance		\$170.00	\$0.00	\$0.00	\$0.00
Interrogatory					
Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Responses		\$170.00	\$0.00	\$0.00	\$0.00
Issues Conference					
Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Attendance		\$170.00	\$0.00	\$0.00	\$0.00
ADR - Settlement Conference					
Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Attendance		\$170.00	\$0.00	\$0.00	\$0.00
Proposal Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Argument					
Preparation	35.70	\$170.00	\$6,069.00	\$788.97	\$6,857.97
Oral Hearing					
Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Attendance		\$170.00	\$0.00	\$0.00	\$0.00
Other Conferences					
Preparation		\$170.00	\$0.00	\$0.00	\$0.00
Attendance		\$170.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL SERVICE PROVIDER FEES			\$6,069.00	\$788.97	\$6,857.97

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File #	EB- 2020-0156	Process:	Industrial Gas Users Association ("IGUA") Motion to Review and Vary	
Party:	Canadian Manufacturers & Exporters	Service Provider Name:	Scott Pollock	
Statement of Disbursements Being Claimed				
	Net Cost	HST	Total	
Scanning/Photocopying: ___ copies @ \$0.15 each		\$0.00	\$0.00	
Printing		\$0.00	\$0.00	
Courier		\$0.00	\$0.00	
Telephone/Fax		\$0.00	\$0.00	
Telephone Conference Calls		\$0.00	\$0.00	
Telephone Long Distance (from hotel bill)		\$0.00	\$0.00	
Transcripts		\$0.00	\$0.00	
Travel: Air		\$0.00	\$0.00	
Travel: Car		\$0.00	\$0.00	
Travel: Rail		\$0.00	\$0.00	
Travel: Other: 		\$0.00	\$0.00	
Parking		\$0.00	\$0.00	
Taxi		\$0.00	\$0.00	
Accommodation		\$0.00	\$0.00	
Meals		\$0.00	\$0.00	
Other:		\$0.00	\$0.00	
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00	

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees being Claimed

File #:	EB-2020-0156
Process:	Industrial Gas Users Association ("IGUA") Motion to Review and Vary
Party:	Canadian Manufacturers & Exporters
Name:	Scott Pollock

June 30-20	Reviewing IGUA's motion to review and vary.	1.3	Argument Prep
July 02-20	Reviewing IGUA's motion to review and vary; drafting client report.	1.8	Argument Prep
July 07-20	Drafting submissions re: IGUA's motion to review and vary; reviewing admin law and Vavilov.	3.2	Argument Prep
July 08-20	Drafting submission re: IGUA's motion to review and vary; reviewing the law as it relates to the standard of review for administrative decisions; reviewing the law as it relates to the Ontario Energy Board's threshold test requirements.	5.4	Argument Prep
July 09-20	Drafting submissions re: IGUA's motion to review and vary; reviewing the law regarding deficiencies of reasons as a stand alone ground of review; reviewing the law regarding the factors outlined by the Supreme Court in <i>Baker</i> .	5.1	Argument Prep
July 10-20	Drafting submissions in response to IGUA's motion; reviewing the previous Board decisions regarding the Panhandle cost allocation issue.	4.1	Argument Prep
July 13-20	Revising submissions for IGUA's motion to review and vary.	2.9	Argument Prep
July 14-20	Revising submissions on IGUA's motion.	4.2	Argument Prep
July 15-20	Discussing submissions re: IGUA's motion with client.	0.2	Argument Prep
July 15-20	Revising submissions on IGUA's motion to review and vary pursuant to discussion with client.	4.2	Argument Prep
July 17-20	Finalizing submissions on IGUA's motion to review and vary; conference call with client for walkthrough of submissions and final approval.	2.6	Argument Prep
Aug 4-20	Reviewing IGUA reply submissions in motion to review and vary.	0.3	Argument Prep
Sept 24-20	Reviewing Board's decision on motion to review and vary; drafting report to client.	0.4	Argument Prep

Total Hours for Scott Pollock: 35.7

	Hours		Fees
Pre-hearing Conf. Prep	0	x \$170.00/hr =	\$0.00
Pre-hearing Conf. Attend	0	x \$170.00/hr =	\$0.00
Technical Conf. Prep	0	x \$170.00/hr =	\$0.00
Technical Conf. Attend	0	x \$170.00/hr =	\$0.00
Interrogatory Prep	0	x \$170.00/hr =	\$0.00
Interrogatory Responses	0	x \$170.00/hr =	\$0.00
Issues Conf. Prep	0	x \$170.00/hr =	\$0.00
Issues Conf. Attend	0	x \$170.00/hr =	\$0.00
Settlement Conf. Prep	0	x \$170.00/hr =	\$0.00
Settlement Conf. Attend	0	x \$170.00/hr =	\$0.00
Settlement Conf. Proposal Prep	0	x \$170.00/hr =	\$0.00
Oral Hearing Prep	0	x \$170.00/hr =	\$0.00
Oral Hearing Attend	0	x \$170.00/hr =	\$0.00
Argument Prep	35.7	x \$170.00/hr =	\$6,069.00
Other Conf. Prep	0	x \$170.00/hr =	\$0.00
Other Conf. Attend	0	x \$170.00/hr =	\$0.00
	35.7	Total Fees for Scott Pollock:	\$6,069.00