

Reply to the Attention of: Laura Brazil
Direct Line: 416.865.7814
Email Address: laura.brazil@mcmillan.ca
Our File No.: 274433
Date: January 14, 2021

RESS

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

registrar@oeb.ca

Dear Ms. Long,

**Re: Enbridge Gas Inc. Harmonization of System Expansion Surcharge,
Temporary Connection Surcharges and Hourly Allocation Factor-
(SES TCS HAF)
EB-2020-0094
CPA Costs Claims**

We are counsel to the Canadian Propane Association (the “**CPA**”), an intervenor in this proceeding.

In Procedural Order No. 1 dated June 15, 2020, the Board granted CPA intervenor status in this proceeding and held that CPA is eligible for an award of costs under the OEB’s *Practice Direction on Cost Awards*.

CPA’s participation in this hearing included the following:

1. review of the application;
2. preparation of interrogatories and consideration of responses to them;
3. submission of written arguments; and
4. review of various draft rate orders.

CPA submits that it should be awarded its costs of the proceeding based on the considerations set out in s. 5.01 of the *Practice Direction on Costs*. CPA’s participation

contributed to a better understanding by the Board of several issues in the process, including how the SES and TCS have affected communities to date. CPA also participated responsibly and cost effectively. It focused its interrogatories and written argument on certain issues to avoid duplication of issues already addressed by other intervenors. CPA has complied with all of the Board's orders, rules, codes, guidelines, and filing requirements.

Accordingly, CPA requests an award of costs as set out in its enclosed costs submissions, which are submitted in accordance with the Board's Rate Order dated January 7, 2021.

Yours truly,

A handwritten signature in blue ink, appearing to read "L. Brazil", is positioned below the "Yours truly," text.

Laura Brazil

Encl.

cc: OEB Case Manager
OEB Counsel
Applicant and Intervenors

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>2020-0094</u>	Process: <u>SES, TCS, HAF Expansion</u>
Party: <u>Canadian Propane Association (CPA)</u>	Affiant's Name: <u>Laura Brazil</u>
HST Number: <u>R119428555</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, Laura Brazil, 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 01/14/2021.
(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2020-0094 Process: SES, TCS, HAF Expansion

Party: Canadian Propane Association (CPA)

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	9,197.00
Disbursements	\$	-
HST	\$	1,195.61
Total Cost Claim	\$	10,392.61

Payment Information

Make cheque payable to: Canadian Propane Association

Send payment to this address: Canadian Propane Association c/o McMillan LLP
Attention: Laura Brazil
181 Bay Street, Suite 4400
Toronto, Ontario M5J 2T3

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2020-0094</u>	Process: <u>SES, TCS, HAF Expansion</u>
Party: <u>Canadian Propane Association (CPA)</u>	Service Provider Name: <u>Laura Brazil</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<div style="border: 1px solid black; padding: 2px;">2011</div>	<div style="border: 1px solid black; padding: 2px;">10</div>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: <div style="border: 1px solid black; padding: 2px;">\$230</div>
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px;">13.0%</div>
<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	1.40	\$ 230.00	\$ 322.00	\$ 41.86	\$ 363.86
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	14.30	\$ 230.00	\$ 3,289.00	\$ 427.57	\$ 3,716.57
Responses	3.60	\$ 230.00	\$ 828.00	\$ 107.64	\$ 935.64
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation	12.10	\$ 230.00	\$ 2,783.00	\$ 361.79	\$ 3,144.79
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management	4.50	\$ 100.00	\$ 450.00	\$ 58.50	\$ 508.50
TOTAL SERVICE PROVIDER FEES			\$ 7,672.00	\$ 997.36	\$ 8,669.36

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0094

Process: SES, TCS, HAF Expansion

Party: Canadian Propane Association (C

Service Provider Name: Laura Brazil

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

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2020-0094</u>	Process: <u>SES, TCS, HAF Expansion</u>
Party: <u>Canadian Propane Association (CPA)</u>	Service Provider Name: <u>Mike Richmond</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	2000	21
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: \$330
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		HST Rate Charged (enter %): 13.0%
<input type="checkbox"/> CV provided within previous 24 months		

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	0.60	\$ 330.00	\$ 198.00	\$ 25.74	\$ 223.74
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	1.20	\$ 330.00	\$ 396.00	\$ 51.48	\$ 447.48
Responses	1.50	\$ 330.00	\$ 495.00	\$ 64.35	\$ 559.35
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	0.60	\$ 330.00	\$ 198.00	\$ 25.74	\$ 223.74
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management	1.40	\$ 170.00	\$ 238.00	\$ 30.94	\$ 268.94
TOTAL SERVICE PROVIDER FEES			\$ 1,525.00	\$ 198.25	\$ 1,723.25

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0094

Process: SES, TCS, HAF Expansion

Party: Canadian Propane Association (C

Service Provider Name: Mike Richmond

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

CPA Schedule to Cost Claim
June 8, 2020 to December 15, 2020
Laura Brazil and Mike Richmond, McMillan LLP

<u>Date</u>	<u>Explanation</u>	<u>Lawyer</u>	<u>Hours</u>
6/8/2020	Communications regarding intervenor application; draft intervention and costs request letter.	L.B.	1.00
6/8/2020	Communications regarding participation and intervenor request; review draft intervenor request.	M.R.	1.30
6/9/2020	Communications regarding draft intervention letter and revise same; file letter via RESS and communications regarding confirmation of filing.	L.B.	1.60
6/15/2020	Review Procedural Order #1.	M.R.	0.10
6/16/2020	Review Procedural Order No. 1 and communications regarding same.	L.B.	0.70
6/22/2020	Review Enbridge application, review CPA complaint regarding Enbridge connection subsidy, review related OEB decisions on SES and TCS claims calculations; draft CPA interrogatory questions.	L.B.	7.80
6/25/2020	Revise draft interrogatories and communications regarding same.	L.B.	2.30
6/25/2020	Review and comment on draft interrogatories.	M.R.	0.70
6/26/2020	Research and preparation of additional information for interrogatories; attend to exhibits to interrogatories.	L.B.	2.00
6/26/2020	Review updates to interrogatories.	M.R.	0.50
6/29/2020	Revise interrogatories and exhibits to interrogatories.	L.B.	0.40
7/2/2020	Research and communications re: findings relating to interrogatories; revise interrogatories.	L.B.	1.00

CPA Schedule to Cost Claim
June 8, 2020 to December 15, 2020
Laura Brazil and Mike Richmond, McMillan LLP

<u>Date</u>	<u>Explanation</u>	<u>Lawyer</u>	<u>Hours</u>
7/3/2020	Revise interrogatories.	L.B.	0.10
7/6/2020	Revise draft interrogatories and filing same.	L.B.	0.70
7/7/2020	Research.	L.B.	0.20
7/14/2020	Revise interrogatories.	L.B.	0.20
7/27/2020	Research regarding additional information to address in interrogatories.	L.B.	0.40
7/27/2020	Review research.	M.R.	0.70
7/28/2020	Research and communications regarding same.	L.B.	1.50
7/28/2020	Communications re: interrogatories.	M.R.	0.70
7/29/2020	Communications re: answers to interrogatories and plan for written submissions.	L.B.	1.30
7/29/2020	Communications re: interrogatories and participation in subsequent hearing phases.	M.R.	0.10
8/12/2020	Review technical conference order and communications re: same.	L.B.	1.40
8/12/2020	Discussions regarding HAF Technical Conference and other HAF-related issues.	M.R.	0.60
8/20/2020	Review Procedural Order No. 3.	L.B.	0.20
9/4/2020	Communications re: written submissions.	L.B.	0.20
9/14/2020	Prepare draft CPA submissions and communications regarding same.	L.B.	3.80
9/15/2020	Prepare draft CPA submissions.	L.B.	2.30

CPA Schedule to Cost Claim
June 8, 2020 to December 15, 2020
Laura Brazil and Mike Richmond, McMillan LLP

<u>Date</u>	<u>Explanation</u>	<u>Lawyer</u>	<u>Hours</u>
9/16/2020	Finalize first draft of CPA submissions and communications regarding same.	L.B.	3.60
9/16/2020	Review and comment on CPA submissions.	M.R.	0.30
9/17/2020	Revise CPA submissions and communications regarding same.	L.B.	1.00
9/17/2020	Reviewing updated submissions.	M.R.	0.30
9/18/2020	Finalize submissions for delivery and filing of same.	L.B.	0.50
9/23/2020	Research to support submissions.	L.B.	0.20
10/2/2020	Review reply submissions.	L.B.	0.30
11/6/2020	Review OEB decision and order and communications regarding same.	L.B.	0.60
11/17/2020	Review draft rate order and accompanying documents and communications regarding same.	L.B.	0.30
12/10/2020	Review revised draft rate order and communications regarding same.	L.B.	0.10
12/15/2020	Review amended rate order.	L.B.	0.20

M.R. = Mike Richmond

(3.90 hours @ \$330.00/h = \$1,287.00 and 1.40 hours @ \$170.00/h = \$238.00)

L.B. = Laura Brazil

(31.40 hours @ 230.00/h = \$7,222.00 and 4.50 hours @ \$100.00/h = \$450.00)