

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


February 26, 2021

**Re: EB-2020-0198 – Enbridge Waterfront Relocation Project Leave to Construct
Pollution Probe Cost Claim**

Dear Ms. Long:

In accordance with the Decision and Order dated February 19, 2021, please find attached Pollution Probe's Cost Claim for the above note proceeding. Please note that the hours allocated to Argument relate to all activities for the submissions on jurisdiction and application withdrawal. Please reach out should you have any questions.

Respectfully submitted on behalf of Pollution Probe.



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

cc: Enbridge Regulatory (email via EGIRegulatoryProceedings@enbridge.com)
Guri Pannu, Senior Legal Counsel, Enbridge (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-	2020-0198	Process:	Enbridge Waterfront LTC
Party:	Pollution Probe	Affiant's Name:	Michael Brophy
HST Number:	108092701 RT0001	HST Rate Ontario:	13.00%
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.


Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,
in the Province/State of Ontario, on Feb-23-21
(date)


Commissioner for taking Affidavits
MCKY N.E. KUO

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2020-0198

Process: Enbridge Waterfront LTC

Party: Pollution Probe

Summary of Fees and Disbursements Being Claimed		
Legal/consultant/other fees	\$	10,642.50
Disbursements	\$	-
HST	\$	1,383.53
Total Cost Claim	\$	12,026.03

Payment Information	
Make cheque payable to:	<u>Pollution Probe</u>
Send payment to this address:	<u>150 Ferrand Drive, Suite 208</u>
	<u>Toronto, Ontario</u>
	<u>M3C 3E5</u>
	<u> </u>

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2020-0198</u>	Process: <u>Enbridge Waterfront LTC</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="text"/>	<input type="text" value="27"/>
Articling Student/Paralegal <input type="checkbox"/>	<input type="text"/>	
Consultant <input checked="" type="checkbox"/>		Hourly Rate: <input type="text" value="\$330"/>
Analyst <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		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	10.00	\$ 330.00	\$ 3,300.00	\$ 429.00	\$ 3,729.00
Attendance	6.50	\$ 330.00	\$ 2,145.00	\$ 278.85	\$ 2,423.85
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	15.75	\$ 330.00	\$ 5,197.50	\$ 675.68	\$ 5,873.18
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 10,642.50	\$ 1,383.53	\$ 12,026.03

Michael Brophy Consulting Inc.

INVOICE

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

DATE: February 22, 2021
INVOICE # OEB-8-2021
FOR: EB-2020-0198
Enbridge Waterfront LTC

Bill To:
Richard Carlson
Director Energy Policy
Pollution Probe
150 Ferrand Drive
Toronto, Ontario
M3C 3E5

DESCRIPTION	AMOUNT
Consulting - OEB EB-2020-0198 Enbridge Waterfront LTC Detailed timesheet for Michael Brophy attached Total: 32.25 hours @ \$330 per hour	10,642.50
HST (HST #: 75225 9333 RT0001)	1,383.53
TOTAL	\$ 12,026.03

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-2020-0198 Enbridge NPS 20 Waterfront LTC

M. Brophy

Date	Hours	Description
12/4/2020	2.00	Review materials filed by City and Waterfront Toronto. Discussion with Waterfront Toronto. Phone call with Pollution Probe (R. Carlson)
12/31/2020	5.50	Review filed materials, correspondence with intervenors, draft submission letter, correspondence with R. Carlson (Pollution Probe)
1/7/2021	2.00	Finalize and file submission on jurisdiction issues
1/16/2021	4.50	Review correspondence, Enbridge Reply on Jurisdiction issues, review OEB Staff/FRPO proposed questions and draft Pre-Settlement Conference questions.
1/18/2021	1.00	Finalise Pre-Settlement Conference questions and submit.
1/21/2021	1.00	Review Waterfront Toronto utility corridor evidence
1/24/2021	2.00	Settlement Conference prep and review responses
1/25/2021	1.50	Settlement Conference prep and review materials
1/25/2021	6.50	Attend Settlement Conference
1/31/2021	3.50	Review PO 5, referenced materials and draft submission related to OEB request in PO 5.
2/2/2021	1.00	Finalise submission related to PO 5 and file
2/5/2021	1.25	Review submissions on PO 5
2/13/2021	0.50	Review Enbridge reply submission
total	32.25	