

Elson Advocacy

March 3, 2021

BY EMAIL AND RESS

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-2020-0198 – Toronto Waterfront Relocation Project

Enclosed please find the cost claim of Environmental Defence in the above matter.

Please note that the time associated with drafting submissions on both the issue of jurisdiction and the issue of Enbridge's withdrawal of its application were included in the "argument" category of the cost claim form.

Please do not hesitate to contact me if anything further is required.

Yours truly,



Kent Elson

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-	2020-0198	Process:	Toronto Waterfront Relocation Project
Party:	Environmental Defence	Affiant's Name:	Kent Elson
HST Number:	872151923RT0001	HST Rate Ontario:	13.00%
	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 **March 3, 2021**.
(date)



Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2020-0198 **Process:** Toronto Waterfront Relocation Project

Party: Environmental Defence

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	4,208.00
Disbursements	\$	-
HST	\$	547.04
Total Cost Claim	\$	4,755.04

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>2020-0198</u>	Process: <u>Toronto Waterfront Relocation Project</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"/>	<div style="border: 1px solid black; padding: 2px;">2009</div>	<div style="border: 1px solid black; padding: 2px;">11</div>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: <div style="border: 1px solid black; padding: 2px;">\$260</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		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Responses		\$ 260.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	2.50	\$ 260.00	\$ 650.00	\$ 84.50	\$ 734.50
Attendance		\$ 260.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 260.00	\$ -	\$ -	\$ -
Argument					
Preparation	4.80	\$ 260.00	\$ 1,248.00	\$ 162.24	\$ 1,410.24
Oral Hearing					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 1,898.00	\$ 246.74	\$ 2,144.74

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0198

Process: Toronto Waterfront Relocation Project

Party: Environmental Defence

Service Provider Name: Kent Elson

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



Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2020-0198</u>	Process: <u>Toronto Waterfront Relocation Project</u>
Party: <u>Environmental Defence</u>	Service Provider Name: <u>Amanda Montgomery</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	2020	1
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: \$165
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		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Responses		\$ 165.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	2.40	\$ 165.00	\$ 396.00	\$ 51.48	\$ 447.48
Attendance	6.20	\$ 165.00	\$ 1,023.00	\$ 132.99	\$ 1,155.99
Proposal Preparation		\$ 165.00	\$ -	\$ -	\$ -
Argument					
Preparation	5.40	\$ 165.00	\$ 891.00	\$ 115.83	\$ 1,006.83
Oral Hearing					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 2,310.00	\$ 300.30	\$ 2,610.30

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0198

Process: Toronto Waterfront Relocation Project

Party: Environmental Defence

Service Provider Name: Amanda Montgomery

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



Elson Advocacy

Invoice

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

March 3, 2021

File #: 0075
Inv #: 1098

RE: Enbridge - Waterfront Relocation Project

DATE	DESCRIPTION	HOURS	LAWYER
Nov 26, 2020	Review Enbridge's Waterfront Relocation Project application; develop strategy for the case and analyze issues; draft correspondence to client; draft correspondence to A. Montgomery re next steps	1.00	KE
Nov 30, 2020	Confer with A. Montgomery re Toronto Lakeshore Relocation case	0.10	KE
	Draft, file and serve intervention request	0.50	AM
Dec 11, 2020	Review Procedural Order; draft submissions to the Board requesting an opportunity to review Enbridge's submissions on the jurisdictional issue	1.00	KE
Dec 22, 2020	Review procedural order and diarize next steps	0.20	KE
Dec 23, 2020	Review materials in preparation for jurisdiction submissions	0.40	KE
Jan 7, 2021	Review jurisdiction submissions of Enbridge and Waterfront Toronto; draft jurisdiction submissions	2.30	KE
Jan 8, 2021	Review and revise jurisdiction submissions; various correspondence	0.70	KE
	Review and edit submissions re OEB jurisdiction	0.20	AM

Jan 12, 2021	Various correspondence	0.10	AM
Jan 13, 2021	Various correspondence	0.10	KE
Jan 15, 2021	Various correspondence re mediation	0.20	KE
Jan 17, 2021	Review various correspondence	0.10	KE
Jan 18, 2021	Various correspondence	0.10	KE
	Review Procedural Order #4; confer with K. Elson	0.30	AM
Jan 20, 2021	Confer with A. Montgomery re upcoming settlement conference	0.40	KE
	Attend pre-settlement conference Zoom rehearsal	0.70	AM
Jan 22, 2021	Prepare for settlement conference	0.80	AM
Jan 25, 2021	Confer with A. Montgomery re settlement conference	0.30	KE
	Prepare for and attend settlement conference	6.20	AM
Feb 1, 2021	Confer with K.Elson re: submissions	0.20	AM
Feb 3, 2021	Review submissions of parties and intervenors	0.70	AM
Feb 4, 2021	Confer with K. Elson re: submissions; draft submissions re: EGI withdrawal of application	2.50	AM
Feb 5, 2021	Comment on withdrawal submissions; confer with A. Montgomery	0.20	KE
	Confer with K. Elson; revise submissions; file and serve submissions	1.30	AM
Feb 16, 2021	Review submissions of Enbridge	0.20	KE
	Review correspondence from parties; review submissions from Enbridge	0.50	AM
	Total Hours and Fees	21.30	\$4,208.00
	Total HST on Fees		\$547.04

TOTALS

Total Fees & Disbursements	\$4,208.00
Total HST	\$547.04
Total Fees, Disbursements, & HST	\$4,755.04

Amount Now Due	\$4,755.04
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HST #	75532 3078 RT0001
Total HST	\$547.04