

# Elson Advocacy

April 19, 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-2020-0007 – Burlington Hydro Inc. – 2021 Rates**

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

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.

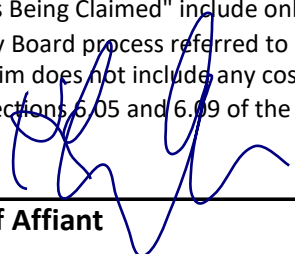
**Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

<b>File # EB-</b> <u>2020-0007</u>	<b>Process:</b> <u>Burlington Hydro Inc. - 2021 Rates</u>
<b>Party:</b> <u>Environmental Defence</u>	<b>Affiant's Name:</b> <u>Kent Elson</u>
<b>HST Number:</b> <u>872151923RT0001</u>	<b>HST Rate Ontario:</b> <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, 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 April 19, 2021.  
(date)

  
**Commissioner for taking Affidavits**

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2020-0007

Process: Burlington Hydro Inc. - 2021 Rates

Party: Environmental Defence

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	6,604.50
Disbursements	\$	-
HST	\$	858.59
<b>Total Cost Claim</b>	<b>\$</b>	<b>7,463.09</b>

**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>2020-0007</u>	Process: <u>Burlington Hydro Inc. - 2021 Rates</u>
Party: <u>Environmental Defence</u>	Service Provider Name: <u>Kent Elson</u>
<p><b>SERVICE PROVIDER TYPE</b> (check one)</p> <p>Legal Counsel <input checked="" type="checkbox"/></p> <p>Articling Student/Paralegal <input type="checkbox"/></p> <p>Consultant <input type="checkbox"/></p> <p>Analyst <input type="checkbox"/></p>	
Year Called to Bar	Completed Years Practising/Years of Relevant Experience
<u>2009</u>	<u>11</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached	Hourly Rate: <u>\$260</u>
<input type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): <u>13.0%</u>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	1.20	\$ 260.00	\$ 312.00	\$ 40.56	\$ 352.56
Responses		\$ 260.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	1.50	\$ 260.00	\$ 390.00	\$ 50.70	\$ 440.70
Attendance		\$ 260.00	\$ -	\$ -	\$ -
Proposal Preparation	0.30	\$ 260.00	\$ 78.00	\$ 10.14	\$ 88.14
<b>Argument</b>					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 260.00	\$ -	\$ -	\$ -
Attendance		\$ 260.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 780.00	\$ 101.40	\$ 881.40

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0007

Process: Burlington Hydro Inc. - 2021 Rates

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:		\$ -	\$ -
<b>TOTAL DISBURSEMENTS:</b>	\$ -	\$ -	\$ -

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

<b>File # EB-</b> <u>2020-0007</u>	<b>Process:</b> <u>Burlington Hydro Inc. - 2021 Rates</u>
<b>Party:</b> <u>Environmental Defence</u>	<b>Service Provider Name:</b> <u>Amanda Montgomery</u>

<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>	<b>Completed Years Practising/Years of Relevant Experience</b>
Legal Counsel <input checked="" type="checkbox"/>	2020	1
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		

Hourly Rate:	\$165
For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	<b>HST Rate Charged (enter %):</b> 13.0%

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	15.60	\$ 165.00	\$ 2,574.00	\$ 334.62	\$ 2,908.62
Responses		\$ 165.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	3.30	\$ 165.00	\$ 544.50	\$ 70.79	\$ 615.29
Attendance	13.40	\$ 165.00	\$ 2,211.00	\$ 287.43	\$ 2,498.43
Proposal Preparation	3.00	\$ 165.00	\$ 495.00	\$ 64.35	\$ 559.35
<b>Argument</b>					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 165.00	\$ -	\$ -	\$ -
Attendance		\$ 165.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 5,824.50	\$ 757.19	\$ 6,581.69

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0007

Process: Burlington Hydro Inc. - 2021 Rates

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:		\$ -	\$ -
<b>TOTAL DISBURSEMENTS:</b>	\$ -	\$ -	\$ -

# Elson Advocacy

## Invoice

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

April 19, 2021

File #: 0074  
Inv #: 1105

**RE:** Burlington Hydro - 2021 Rates

DATE	DESCRIPTION	HOURS	LAWYER
Nov 26, 2020	Review Burlington Hydro's application; develop strategy for the case and analyze issues; draft correspondence to client; draft correspondence to A. Montgomery re next steps	0.20	KE
Nov 30, 2020	Confer with A. Montgomery re Burlington Hydro case	0.10	KE
	Confer with K. Elson; draft, file and serve intervention request	0.50	AM
Dec 4, 2020	Burlington Hydro - Review materials; draft correspondence to A. Montgomery re next steps for IRs	0.30	KE
Dec 9, 2020	Review correspondence from K. Elson; detailed review of application materials for purpose of preparing Interrogatories	1.30	AM
Dec 11, 2020	Detailed review of application materials for purpose of drafting Interrogatories	0.80	AM
Dec 15, 2020	Review Procedural Order No. 1	0.40	AM
Jan 5, 2021	Detailed review of application for purpose of preparing Interrogatories	2.10	AM
Jan 6, 2021	Detailed review of application for purpose of preparing Interrogatories; confer with K. Elson	2.00	AM
Jan 7, 2021	Detailed review of application and evidence for preparing Interrogatories	2.60	AM

Elson Advocacy  
Professional Corporation

Kent@ElsonAdvocacy.ca  
1062 College St., Lower Suite, Toronto, ON M6H 1A9

tel: 416 906-7305  
fax: 416 763-5435



Jan 8, 2021	Draft Interrogatories	2.10	AM
Jan 12, 2021	Review, comment on, and supplement IRs prepared by A. Montgomery	0.60	KE
	Draft Interrogatories	1.10	AM
Jan 13, 2021	Revise and edit Interrogatories	1.10	AM
Jan 14, 2021	File and serve IRs	0.50	AM
Feb 2, 2021	Correspond with A. Montgomery re next steps	0.20	KE
	Review and analyse IR responses	1.10	AM
Feb 3, 2021	Review correspondence re issues list; confer with A. Montgomery re same	0.10	KE
	Confer with K. Elson	0.10	AM
Feb 4, 2021	Correspond with OEB re: additions to draft issues list	0.60	AM
Feb 11, 2021	Correspond with OEB re: settlement conference	0.10	AM
Feb 16, 2021	Review PO2 and correspondence between the parties re: Feb 22, 2021 ADR	0.70	AM
Feb 17, 2021	Confer with A. Montgomery	0.10	KE
	Confer with K. Elson	0.10	AM
Feb 18, 2021	Review correspondence between parties re: ADR; prepare for ADR	1.20	AM
Feb 19, 2021	Prepare for ADR	0.50	AM
Feb 21, 2021	Review materials from A. Montgomery; review LDC handbooks and other materials to develop proposed loss reduction target for Burlington Hydro	0.50	KE
Feb 22, 2021	Confer with A. Montgomery re ADR today	0.20	KE
	Confer with K. Elson; participate in ADR	5.40	AM

Feb 23, 2021	Participate in ADR	2.40	AM
Feb 24, 2021	Confer with A. Montgomery re ADR session	0.40	KE
	Participate in ADR; confer with K. Elson re ADR session	5.60	AM
Mar 5, 2021	Review correspondence re: settlement proposal; review settlement proposal	0.90	AM
Mar 8, 2021	Confer with A. Montgomery re draft settlement proposal	0.10	KE
	Confer with K.Elson re: settlement proposal	0.50	AM
Mar 9, 2021	Review correspondence from Intervenors re: settlement proposal	0.10	AM
Mar 10, 2021	Review correspondence between Intervenors re: settlement proposal	0.10	AM
Mar 11, 2021	Review PO #4	0.10	AM
Mar 15, 2021	Review second draft settlement proposal	0.20	AM
Mar 16, 2021	Review correspondence re: draft settlement proposal	0.40	AM
Mar 17, 2021	Review correspondence from intervenors; review draft settlement proposal.	0.40	AM
Mar 23, 2021	Confer with A. Montgomery re draft settlement agreement	0.20	KE
	Confer with K. Elson re: settlement proposal terms	0.20	AM
Mar 24, 2021	Correspond with S. Zhang re: wording of settlement agreement	0.10	AM
	Total Hours and Fees	38.30	\$6,604.50
	Total HST on Fees		\$858.59
<b>TOTALS</b>			
	Total Fees & Disbursements		\$6,604.50
	Total HST		\$858.59
	Total Fees, Disbursements, & HST		\$7,463.09

**Amount Now Due**

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**\$7,463.09**

HST #                    75532 3078 RT0001  
Total HST                \$858.59