

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

July 12, 2021

**Re: EB-2021-0072 2019 DSM Deferral and Variance Account Disposition Application
Pollution Probe Cost Claim**

Dear Ms. Long:

In accordance with the OEB Decision and Order dated June 24, 2021 for the above-noted proceeding, please find attached Pollution Probe's Costs Claim.

Respectfully submitted on behalf of Pollution Probe.



Michael Brophy, P.Eng., M.Eng., MBA
Michael Brophy Consulting Inc.
Consultant to Pollution Probe
Phone: 647-330-1217
Email: Michael.brophy@rogers.com

cc: Ms. Asha Patel, Enbridge Regulatory (via email)
Dennis O'Leary, Aird & Berlis (via email)
Richard Carlson, Pollution Probe (via email)

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>2021-0072</u>	Process: <u>Enbridge 2019 DSM Variance Accounts</u>
Party: <u>Pollution Probe</u>	Affiant's Name: <u>Michael Brophy</u>
HST Number: <u>108092701 RT0001</u>	HST Rate Ontario: <u>13.00%</u>
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

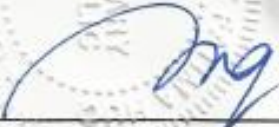
I, Michael Brophy, of the City/Town of Toronto
in the Province/State of Ontario, swear or affirm that:

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 July 9, 2021,
(date)



Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS
Affidavit and Summary of Fees and Disbursements



File # EB- 2021-0072 Process: Enbridge 2019 DSM Variance Accounts

Party: Pollution Probe

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	8,415.00
Disbursements	\$	-
HST	\$	1,093.95
Total Cost Claim	\$	9,508.95

Payment Information

Make cheque payable to: Pollution Probe

Send payment to this address: c/o Richard Carlson
150 Ferrand Drive, Suite 208
Toronto, Ontario
M3C 3E5

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2021-0072</u>	Process: <u>Enbridge 2019 DSM Variance Accounts</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	10.50	\$ 330.00	\$ 3,465.00	\$ 450.45	\$ 3,915.45
Responses	8.50	\$ 330.00	\$ 2,805.00	\$ 364.65	\$ 3,169.65
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	6.50	\$ 330.00	\$ 2,145.00	\$ 278.85	\$ 2,423.85
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 8,415.00	\$ 1,093.95	\$ 9,508.95

Michael Brophy Consulting Inc.

INVOICE

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

DATE: July 7, 2021
INVOICE # OEB-13-2021
FOR: EB-2020-0072
EGI 2019 DSM Variance
Accounts

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

DESCRIPTION	AMOUNT
Consulting - OEB EB-2021-0072 EGI 2019 DSM Variance Accounts Detailed timesheet for Michael Brophy attached Total: 25.5 hours @ \$330 per hour	8,415.00
HST (HST #: 75225 9333 RT0001)	1,093.95
TOTAL	\$ 9,508.95

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-2021-0072 Enbridge 2019 DSM Variance Accounts

M. Brophy

Date	Hours	Description
4/30/2021	3.00	Review evidence and prepare interrogatories
5/1/2021	4.00	Review evidence, Audit report and prepare interrogatories
5/2/2021	2.00	Review evidence and prepare interrogatories
5/3/2021	1.50	Correspondence and phone call with R. Carlson, finalise linterrogatories and file
5/23/2021	4.50	Review interrogatory responses
5/24/2021	4.00	Review interrogatory responses
5/27/2021	2.50	Review evidence and draft submission
5/28/2021	4.00	Finalise sumission and file
total	25.50	