

October 7, 2021

VIA RESS

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

Dear Ms. Long:

Re: Enbridge Gas Inc. (Enbridge) 2020 Federal Carbon Pricing Program Application Cost Claim OEB File No.: EB-2019-0247

Please find attached the cost claim of Anwaatin Inc. (**Anwaatin**) in the above-referenced proceeding (the **Proceeding**), filed pursuant to the Board's Decision and Order dated September 23, 2021 (the **Decision**).

Anwaatin respectfully requests an award of 100% of its eligible costs, given its strategic and principled participation in the Proceeding on behalf of the Anwaatin First Nations, and the broader interest of First Nations communities that were unable to directly participate in the Proceeding. This request is supported by the following considerations:

- (i) Anwaatin participated effectively, taking a surgical, principled, and coordinated approach focusing on the applicability of the federal carbon charge to First Nations in light of ss. 87 and 89 of the *Indian Act* and s. 35 of the Constitution (the **Anwaatin Constitutional Issues**);¹
- (ii) Anwaatin's submissions were supported by other affected intervenors and contributed to the Board's better understanding of the Anwaatin Constitutional Issues and the pressing public interest in them through focused and efficient written submissions and reply submissions, and a prompt addendum reflecting recent jurisprudence relevant to the Anwaatin Constitutional Issues in order to protect the veracity of the record and the Board's understanding of relevant judicial decisions on the Anwaatin Constitutional Issues;
- (iii) Anwaatin participated responsibly, undertook coordination with other intervenors to avoid overlap and maximize efficiency, made reasonable efforts to ensure that its participation was not unduly repetitive and was focused on Anwaatin Constitutional Issues; and

¹ EB-2019-0247, Decision and Order (August 13, 2020) at pp. 16-20, available online at <u>http://www.rds.oeb.ca/HPECMWebDrawer/Record/684131/File/document</u>.

Lisa (Elisabeth) DeMarco • Bay Adelaide Centre • 333 Bay Street, Suite 625 Toronto, ON M5H 2R2 • +1.647.991.1190 • lisa@resilientllp.com

(iv) Anwaatin has taken great care to ensure that (i) it has not duplicated work undertaken earlier in the Proceeding and (ii) none of the costs claimed in the attached are in relation to work for which Anwaatin has already received a cost award.

In summary, Anwaatin believes that it assisted the Board in determining the public interest and discharging its statutory objectives set out in section 2 of the *Ontario Energy Board Act, 1998*, as amended.

Anwaatin respectfully requests a full award of eligible costs.

Sincerely,

Lisa (Elisabeth) DeMarco

c. Adam Stiers and Tania Persad, Enbridge Gas Inc. Larry Sault, Anwaatin Inc. Don Richardson

Encl.



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: Country: 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-	EB-2019-0247	Process: Enbridge Gas Inc. GGPPA Rates	
Party:	Anwaatin Inc.	Affiant's Name: Jonathan McGillivray	
HST Numbei	: 794713495 RT0001 Full Registrant Unregistered Other	HST Rate Ontario: 13.00% Qualifying Non-Profit Tax Exempt	

	Affidavit							
I, Jonathan McGillivray		, 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 actions for and the Board's Practice Direction on Cost Awards Signature of Affiant

Sworn or affirmed before n	ne at the City/Town of	Toronto		
in the Province/State of	Ontario	, on	October 7, 2021	
Affirmed before me in accordance w	th O Beg. 431/20: Administering Oa	ath or Declaration Remotely	(date)	

Commissioner for taking Affidavits

File # EB-	EB-2019-0247	Process:	Enbridge Gas Inc. GGPPA Rates

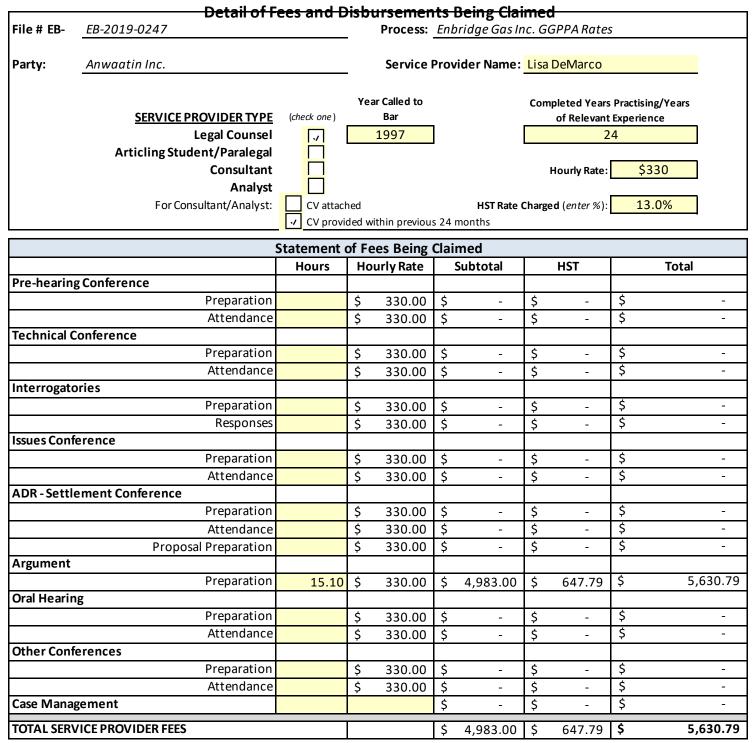
Party: Anwaatin Inc.



Affidavit and Summary of Fees and Disbursements

	Summary of Fees and Disbursements Being Claimed							
Legal/consultant/other fees	\$	16,598.00						
Disbursements	\$	-						
HST	\$	2,157.74						
Total Cost Claim	\$	18,755.74						

	Payment Information	
Make cheque payable to:	Resilient LLP	
Send payment to this address:	Bay Adelaide Centre	
	333 Bay Street, Suite 625	
	Toronto, ON M5H 2R2	







Detail of Fees and Disbursements Being Claimed

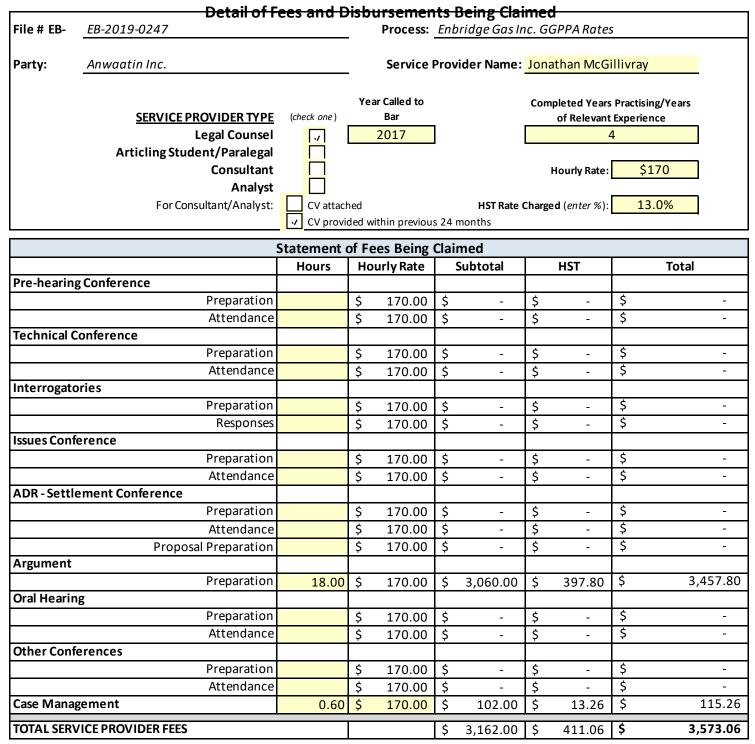
Party:

Anwaatin Inc.

Service Provider Name:

Lisa DeMarco

	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:	\$	- \$ -	\$-







Detail of Fees and Disbursements Being Claimed

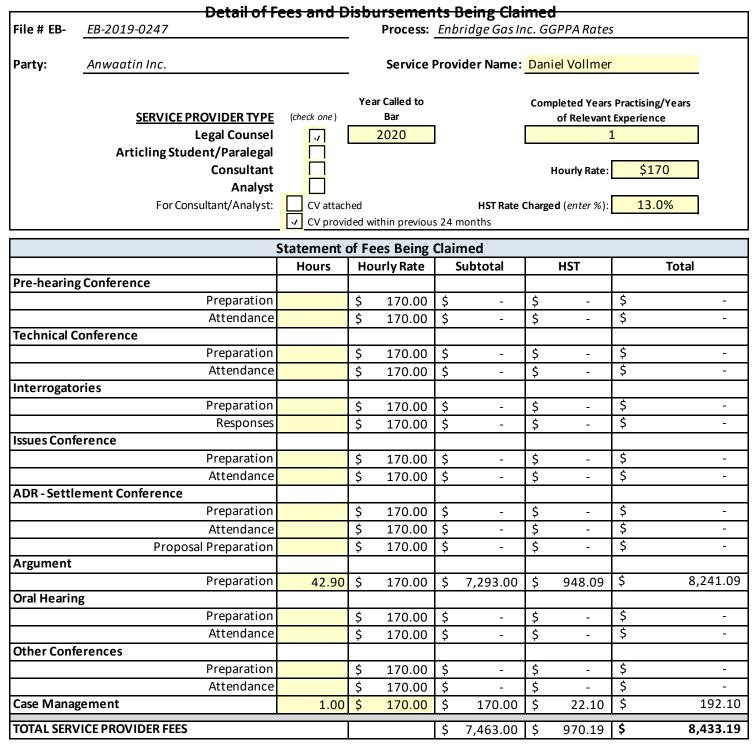
Party:

Anwaatin Inc.

Service Provider Name:

Jonathan McGillivray

State	ment of Disbursements Being Claim	ned	
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$-
Printing		\$-	\$-
Courier		\$ -	\$-
Telephone/Fax		\$ -	\$-
Transcripts		\$ -	\$-
Travel: Air		\$ -	\$-
Travel: Car		\$ -	\$-
Travel: Rail		\$ -	\$-
Travel (Other):		\$ -	\$-
Parking		\$ -	\$-
Тахі		\$ -	\$-
Accommodation		\$ -	\$-
Meals		\$ -	\$-
Other:		\$ -	\$-
Other:		\$-	\$-
Other:		\$ -	\$-
TOTAL DISBURSEMENTS:	\$	- \$ -	\$-







Detail of Fees and Disbursements Being Claimed

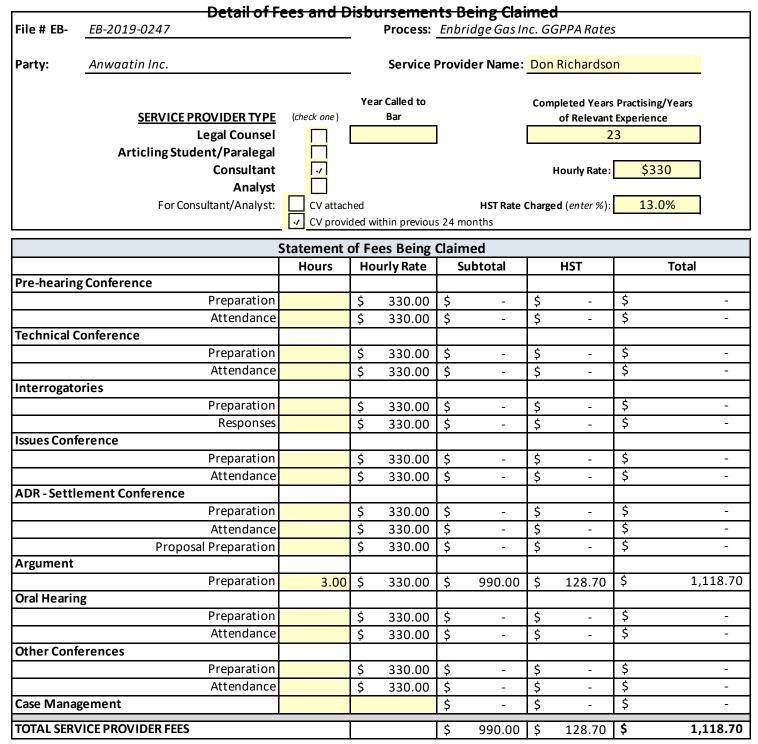
Party:

Anwaatin Inc.

Service Provider Name:

Daniel Vollmer

50	atement of Disbursements Being Clain		
	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:	\$	- \$ -	\$-







Detail of Fees and Disbursements Being Claimed

Party:

Anwaatin Inc.

Service Provider Name:

Don Richardson

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

INVOICE



Invoice # 21148 Date: 06/30/2021 Due On: 08/26/2021

333 Bay Street, Suite 625 Toronto, ON M5H 2R2 Canada Email: monika@resilientllp.com www.resilientllp.com

Anwaatin Inc. 3034 Mississauga Road, , R.R.#6 Hagersville, ON N0A 1H0

20-00659-Anwaatin Inc.-EB-2019-0247 Enbridge Gas Inc. GGPPA Rates

Date	Attorney	Description	Hours	Rate	Total
04/01/2021	JM	CMT - Review and revise draft letter re Deferred Issues;	0.60	\$170.00	\$102.00
05/10/2021	DV	CMT - Review Procedural Order No.4;	0.40	\$170.00	\$68.00
05/10/2021	LD	APR - Instructions to J. McGillivray and D. Vollmer; Communications and coordination with Chief of Ontario council; Outline the content of joint Notice of Constitutional Question;	2.30	\$330.00	\$759.00
05/19/2021	JM	APR - Prepare joint Notice of Constitutional Question; Communications with L. DeMarco and K. Kempton re same;	2.80	\$170.00	\$476.00
05/19/2021	LD	APR - Review draft Notice of Constitutional Question; Communications with Kate Kempton;	0.20	\$330.00	\$66.00
05/21/2021	JM	APR - Revisions to joint Notice of Constitutional Question; Communications with L. DeMarco and K. Kempton re same; Filing and service;	2.80	\$170.00	\$476.00
05/21/2021	LD	APR - Revisions to joint Notice of Constitutional Question; Communications with J. McGillivray and K. Kempton re same;	0.60	\$330.00	\$198.00
05/21/2021	DV	APR - Tidy revisions to joint Notice of Constitutional Question per J. McGillivray;	0.20	\$170.00	\$34.00
05/31/2021	DV	APR - Prepare draft written submissions on the Deferred Issues per J. McGillivray;	0.70	\$170.00	\$119.00
05/31/2021	DV	APR - Strategy call with L. DeMarco and J. McGillivray re submissions;	0.40	\$170.00	\$68.00

		Qu	antity Subt	otal	35.0
06/07/2021	LD	APR - Revise submissions; Instructions to J. McGillivray re same;	4.10	\$330.00	\$1,353.00
06/07/2021	JM	APR - Review and revise submissions per L. DeMarco instructions;	3.10	\$170.00	\$527.00
06/07/2021	DV	APR - Prepare submissions for filing;	0.50	\$170.00	\$85.00
06/06/2021	LD	APR - Review and revise draft submissions; Instructions to D.Vollmer;	2.10	\$330.00	\$693.00
06/04/2021	DV	APR - Prepare draft submissions;	1.70	\$170.00	\$289.00
06/04/2021	DV	APR - Coordination and review submissions of COO re Deferred Issues;	1.60	\$170.00	\$272.00
06/03/2021	LD	APR - Review and revise draft submissions; Instructions to D. Vollmer re same;	1.30	\$330.00	\$429.00
06/03/2021	DV	APR - Prepare draft submissions;	5.10	\$170.00	\$867.00
06/02/2021	DV	APR - Prepare draft submissions;	2.40	\$170.00	\$408.00
05/31/2021	JM	APR - Internal communications re structure of submissions and instructions to D. Vollmer re same;	1.20	\$170.00	\$204.00
05/31/2021	DV	CMT - Prepare file re Anwaatin and OEB submissions and decisions; Communications with client;	0.50	\$170.00	\$85.00
05/31/2021	LD	APR - Strategy call with and instructions to J. McGillivray and D.Vollmer re submissions;	0.40	\$330.00	\$132.00

Quantity Subtotal

35.0

Time Keeper	Hours	Rate	Total
Lisa DeMarco	11.0	\$330.00	\$3,630.00
Jonathan McGillivray	10.5	\$170.00	\$1,785.00
Daniel Vollmer	13.5	\$170.00	\$2,295.00
		Quantity Total	35.0
		Subtotal	\$7,710.00
		HST (ON) (13.0%)	\$1,002.30
		Total	\$8,712.30

Please make all amounts payable to: Resilient LLP HST #79471 3495 RT0001

If sending a wire, please ensure that you include sufficient funds to cover both sending and receiving wire fees charged by financial institutions. Receiving wire fees for our bank are currently \$17.50.

Please pay within 57 days.

INVOICE



Invoice # 21173 Date: 09/30/2021 Due On: 10/29/2021

333 Bay Street, Suite 625 Toronto, ON M5H 2R2 Canada Email: monika@resilientllp.com www.resilientllp.com

Anwaatin Inc. 3034 Mississauga Road, , R.R.#6 Hagersville, ON N0A 1H0

20-00659-Anwaatin Inc.-EB-2019-0247 Enbridge Gas Inc. GGPPA Rates

Date	Attorney	Description	Hours	Rate	Total
07/05/2021	JM	APR - Initial review of Enbridge and Board Staff submissions and instructions to D. Vollmer re same;	0.50	\$170.00	\$85.00
07/07/2021	DV	APR - Review Board Staff submissions on Deferred Issues;	2.80	\$170.00	\$476.00
07/07/2021	JM	APR - Prepare reply submissions;	0.70	\$170.00	\$119.00
07/09/2021	DV	APR - Prepare reply submissions on Deferred Issues;	0.80	\$170.00	\$136.00
07/10/2021	DV	APR - Review and research s. 87 and s.89 of the Indian Act	2.00	\$170.00	\$340.00
07/13/2021	DV	CMT - Prepare file re Reply Submissions;	0.10	\$170.00	\$17.00
07/13/2021	DV	APR - Review caselaw on Indigenous rights/ ss. 87 and 89 of Indian Act;	1.00	\$170.00	\$170.00
07/13/2021	JM	APR - Internal discussions and coordination with COO re reply submissions; Instructions to D. Vollmer;	0.30	\$170.00	\$51.00
07/13/2021	LD	APR - Instructions to J. McGillivray and D. Vollmer on reply submissions; Communications with COO;	1.10	\$330.00	\$363.00
07/14/2021	DV	APR - Prepare reply submissions on Deferred Issues;	4.30	\$170.00	\$731.00
07/15/2021	DV	APR - Coordination with COO re reply submissions;	0.60	\$170.00	\$102.00
07/15/2021	JM	APR - Coordination with COO re reply submissions and instructions to D. Vollmer re same;	0.80	\$170.00	\$136.00
07/15/2021	DV	APR - Prepare reply submissions;	5.10	\$170.00	\$867.00

07/16/2021	DV	APR - Prepare draft reply submissions;	3.40	\$170.00	\$578.00
07/17/2021	DV	APR - Review draft submissions;	1.00	\$170.00	\$170.00
07/18/2021	JM	APR - Review and revise draft reply submissions;	1.30	\$170.00	\$221.00
07/18/2021	DV	APR - Prepare draft reply submissions;	2.40	\$170.00	\$408.00
07/19/2021	DV	APR - Review and prepare draft reply submissions; review COO and OEB Staff reply submissions;	4.00	\$170.00	\$680.00
07/19/2021	JM	APR - Review and revise draft reply submissions per L. DeMarco and instructions to D. Vollmer re same;	0.90	\$170.00	\$153.00
07/19/2021	LD	APR - Review draft reply submissions; Instructions to J. McGillivray re same;	1.40	\$330.00	\$462.00
07/26/2021	DV	APR - Prepare reply submissions addendum;	1.20	\$170.00	\$204.00
07/26/2021	JM	APR - Review and revise addendum to reply submissions and instructions to D. Vollmer re same;	0.70	\$170.00	\$119.00
07/27/2021	DV	APR - Prepare addendum to reply submissions re new caselaw;	1.70	\$170.00	\$289.00
07/27/2021	JM	APR - Review and revise addendum per L. DeMarco;	0.80	\$170.00	\$136.00
07/27/2021	LD	APR - Instructions to J. McGillivray re: revisions to addendum;	0.80	\$330.00	\$264.00
08/04/2021	JM	APR - Review Enbridge reply to Anwaatin addendum;	0.30	\$170.00	\$51.00
09/24/2021	JM	APR - Review decision and draft report to client re same;	1.80	\$170.00	\$306.00
09/27/2021	LD	APR - Communications with D. Richardson and L. Sault re Board decision and seek instructions re same;	0.80	\$330.00	\$264.00

Quantity Subtotal

42.6

Time Keeper	Hours	Rate	Total	
Lisa DeMarco	4.1	\$330.00	\$1,353.00	
Jonathan McGillivray	8.1	\$170.00	\$1,377.00	
Daniel Vollmer	30.4	\$170.00	\$5,168.00	
		Quantity Total	42.6	
		Subtotal	\$7,898.00	
		HST (ON) (13.0%)	\$1,026.74	
		Total	\$8,924.74	

Please make all amounts payable to: Resilient LLP HST #79471 3495 RT0001

If sending a wire, please ensure that you include sufficient funds to cover both sending and receiving wire fees charged by financial institutions. Receiving wire fees for our bank are currently \$17.50.

Please pay within 29 days.

INVOICE

Mr. Don Richardson

DATE:	October 4, 2021
INVOICE #	113
BILL TO:	
	Resilient LLP
	333 Bay Street, Suite 625
	Toronto, ON M5H 2R2
	647.971.6771

EB-2019-0247 Enbridge Gas Inc. GGPPA Rates

DESCRIPTION		AMOUN	т
May 3, 2021 0.8H - APR - Review letter and communications with L. DeMarco on coordination re Engridge case;		\$	264.00
May 5, 2021 0.7H - APR - Communications with L. DeMarco re Enbridge case;		\$	231.00
June 30, 2021 0.4H - APR - Review MAG letter re Enbridge case;		\$	132.00
September 27, 2021 1.1H - APR - Review and consider Board decision and related communications with L. DeMarco;		\$	363.00
	SUBTOTAL	\$	990.00
	TAX RATE		13.00%
Make all checks payable to Mr. Don Richardson.	SALES TAX	\$	128.70
	OTHER	\$	-
THANK YOU FOR YOUR BUSINESS!	TOTAL	\$	1,118.70