

Sent by Email

March 30, 2023

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, ON M4P 1E4
Attention: Registrar

Dear Ms. Marconi:

Re: EB-2022-0018 – Application for rates and other charges to be effective May 1, 2023, by Burlington Hydro Inc. – SBUA Cost Claim

We are counsel to the Small Business Utility Alliance (SBUA). According to the decision and order issued last March 23, 2023, please find enclosed SBUA's cost claim in the above-noted proceeding. Please note the following:

- a. On November 18, 2022, OEB approved SBUA as intervenor, as well as the cost eligibility for SBUA but only in relation to Burlington Hydro's Z-factor claim. That is the reason why the hours claimed are only related to the costs and carrying charges resulting from the damage caused by the windstorm storm on May 21, 2022.
- b. The interrogatories submitted by SBUA to Burlington Hydro Inc. regarding the Z-factor claim, as well as the responses given by the company allowed the OEB and other intervenors to clarify information about what happened on May 21, 2022 and the actions taken by the company.
- c. SBUA (i) participated responsibly in the process, (ii) contributed to a better understanding by the Board of one or more of the issues in the process, (iii) complied with the Board's orders, and rules, codes, guidelines, filing requirements, among others, and (iv) made reasonable efforts to ensure that its participation in the process was not unduly repetitive. In that regard, we respectfully submit that the legal costs and the consultant ones should be reimbursed in full since both of them are reasonable.

According to the above, attached are the following documents:

AGORA

Agora International Law PC
Bay Adelaide Centre West
333 Bay Street, suite 900
Toronto, ON M5H 2R2
Canada

Myriam Seers
mseers@agora.law
+1 416 886 7154

- a. Invoice issued by E&E Law Corp to SBUA
- b. Invoice issued by Agora International Law PC to SBUA
- c. Agora International Law PC's time docket
- d. E&E Law Corp's time docket
- e. Myriam Seer's resume
- f. Sebastian Melo's resume
- g. James Birkelund's resume

Yours truly,



Myriam Seers

cc. All parties in EB-2022-0018

E&E Law Corp.
James M. Birkelund
Attorney

E: james@birkelundlaw.com
T: 415.602.6223; F: 415.789.4556
Mailing Address: 2355 State St., Ste. 101
Salem, OR 97301

March 29, 2023

To: Small Business Utility Alliance
Re: Legal Account for 2022-0018 Burlington Hydro Inc.

STATEMENT OF ATTORNEY SERVICES RENDERED AND EXPENSES

Attached below please find attorney hours and expenses incurred from 11/7/2022 to 10/28/23:

	Description	Amount
Attorney hours:	3.0 hours Rate of \$330/hour based on Ontario Energy Board rates	\$990.00
Expenses:	None	-
Total:		\$990.00

Detailed time records are included and as provided to the Ontario Energy Board in our cost submission.

Very truly yours,



James M. Birkelund

By email

March 30, 2023

Small Business Utility Alliance (SBUA)

c/o Britt Marra, Project Manager
 24 Valifor Pl.
 Toronto, ON M4J 4Z7
 Canada
brittmarra@gmail.com

Payment Terms: Upon Receipt

RE: EB-2022-0018 – Application for raising its electricity distribution rates effective May 1, 2023, by Burlington Hydro Inc.

Sebastian Melo					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/10/2022	2022-0018 Burlington Hydro Inc. - Analysis of the documents filed by Burlington under File No. EB-2022-0018 and elaboration of the request for intervention.	1	20	1.33	\$ 170.00
11/10/2022	2022-0018 Burlington Hydro Inc. -Filing of SBUA's application to intervene in the proceeding	0	20	0.33	
11/21/2022	2022-0018 Burlington Hydro Inc. - Application review conducted and interrogatories to be filed by SBUA.	3	35	3.58	
11/24/2022	2022-0018 Burlington Hydro Inc. - Review of the request made and interrogations to be presented by SBUA, as well as sending to James and Britt	0	25	0.42	
11/28/2022	2022-0018 Burlington Hydro Inc. - Review of feedback by James and Britt, as well as filing of interrogations	0	25	0.42	
3/23/2023	2022-0018 Burlington Hydro Inc. - Review of the decision issued by the OEB and remittance of emails in this regard	0	45	0.75	

3/28/2023	2022-0018 Burlington Hydro Inc. - Review of hours spent in the case for cost claim, as well as request of hours to James and Britt	1	10	1.17	
3/30/2023	2022-0018 Burlington Hydro Inc. - Preparation of documents and recollection of information in order to file cost claim	1	20	1.33	
Subtotal		6	200	9.33	
Total					\$ 1,586.67

Myriam Seers					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/24/2022	2022-0018 Burlington Hydro Inc. -Review of interrogatories to be filed on behalf of SBUA	1	0	1.00	\$ 290.00
Total					\$ 290.00

Subtotal	CAD 1,876.67
HST (13%)	CAD 243.97
Total	CAD 2,120.63

PAYMENT DETAILS

By wire transfer

Agora International Law Professional Corporation

2 Grange Place

Toronto, Ontario M5T 1Z5 Canada

Payments in CAD:

Bank Name: CIBC

Transit Number: 00001-003

Bank Address: 460 University Ave Toronto, ON M5G 1V1

Institution Number: 010

Transit Number: 04702

Account Number: 6675018

Payments in USD (from within the US):

ACH and Wire routing number: 084009519
Account number: 9600000165184741

Wise US, Inc.
30 W. 26th Street, Sixth Floor
New York NY 10010

Partner Bank:
Evolve Bank and Trust
6070 Poplar Ave Suite 200
Memphis TN 38119
United States

Please contact us if you need bank details for our USD (from outside the US), EUR, or GBP accounts.

We remain at your disposal should you have any questions.



Myriam Seers

Time docket

Sebastian Melo					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/10/2022	2022-0018 Burlington Hydro Inc. -Analysis of the documents filed by Burlington under File No. EB-2022-0018 and elaboration of the request for intervention.	1	20	1.33	\$ 170.00
11/10/2022	2022-0018 Burlington Hydro Inc. -Filing of SBUA's application to intervene in the proceeding	0	20	0.33	
11/21/2022	2022-0018 Burlington Hydro Inc. - Application review conducted and interrogatories to be filed by SBUA.	3	35	3.58	
11/24/2022	2022-0018 Burlington Hydro Inc. - Review of the request made and interrogations to be presented by SBUA, as well as sending to James and Britt	0	25	0.42	
11/28/2022	2022-0018 Burlington Hydro Inc. - Review of feedback by James and Britt, as well as filing of interrogations	0	25	0.42	
3/23/2023	2022-0018 Burlington Hydro Inc. - Review of the decision issued by the OEB and remittance of emails in this regard	0	45	0.75	
3/28/2023	2022-0018 Burlington Hydro Inc. - Review of hours spent in the case for cost claim, as well as request of hours to James and Britt	1	10	1.17	
3/30/2023	2022-0018 Burlington Hydro Inc. - Preparation of documents and recollection of information in order to file cost claim	1	20	1.33	
Subtotal		6	200	9.33	
Total					\$ 1,586.67

Myriam Seers					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/24/2022	2022-0018 Burlington Hydro Inc. -Review of interrogatories to be filed on behalf of SBUA	1	0	1.00	\$ 290.00
Total					\$ 290.00

**Time Docket for James Birkelund: EB-2022-0018
Burlington Hydro Application for Electricity Distribution Rates**

Issue Identification

- 1 Review Application and Evidence
- 2 Discovery
- 3 Issue List
- 4 Intervenor Evidence
- 5 Stlmt Conference / ADR
- 6 Oral Hearing
- 7 Submissions
- 8 Other Attendance
- 10 Communications
- 11 Motions
- 12 Confidentiality
- 13 Decision
- 14 Rate Order

Date	Descriptions	Total	1	2	3	4	5	6	7	8	9	10	11	12	13	14
11/7/22	Rev Application.	0.25	0.25													
11/8/22	Emails w S.Melo re SBUA intevention.	0.25							0.25							
11/9/22	Conference w B. Marra re client interests.	0.25										0.25				
11/10/22	Strategy mtg re client interests and intervention.	0.75										0.75				
11/18/22	Read PO#1 granting SBUA intervenor status and cost eligibility.	0.25				0.25										
11/22/22	Confer w Savoie LaPorte re SBUA draft interrogatories.	0.25				0.25										
12/20/22	Read BHI response to SBUA ROGs.	0.25				0.25										
12/20/22	Confer w client rep re SBUA ROGs and responses.	0.25				0.25										
3/23/23	Rev Final Decision and Rate Order	0.25														0.25
3/28/23	Confer w client rep re the same.	0.25														0.25
	Totals:	3	0.25	0	0	1	0	0	0.25	0	0	1	0	0	0	0.5

Myriam Seers

Myriam is Agora's founding partner. Before that, she spent most of her career in major Canadian business law firms McMillan and Torys.

She specializes in investment treaty arbitration and international commercial arbitration, with a particular focus on disputes arising from the mining, electricity (including renewable energy), oil & gas and transportation sectors. She has experience with disputes involving projects all over the world, with a particular emphasis on Latin America. She also appears before Canadian courts in proceedings to set aside or enforce foreign arbitral awards.

Myriam is based in Toronto, Canada, a global center for the mining industry. Throughout her career, she has worked on cases involving mining projects at all phases of their life cycle, from early-stage exploration to development-stage projects to operating mines, in jurisdictions as varied as Ecuador, Mexico, Costa Rica, Côte d'Ivoire, Madagascar and the Kyrgyz Republic. She has extensive experience helping clients navigate the wide variety of roadblocks that can stall or stop a mining project over the course of its life, and in fearlessly advocating on clients' behalf in an investment treaty arbitration or other dispute resolution forum when those roadblocks cannot be overcome.

Myriam also has substantial experience with disputes involving renewable energy projects, including offshore wind, onshore wind, hydroelectric and solar projects.

Myriam is ranked as a "Future Leader" by the global publication "Who's Who Legal: Arbitration" (which states that she is "truly excellent" and has "a remarkable reputation for her work on large, complex international arbitration proceedings") and "Up and Coming" by Chambers Global and Chambers Canada: Dispute Resolution (which states that she is "extremely bright and dynamic" and "attracts praise for her ability to understand and manage very complicated situations"). She works in English, French, Spanish, Portuguese and Italian.

In addition to her counsel practice, Myriam sits as an arbitrator and is part of Arbitration Place's NextGen roster of arbitrators. She has been appointed arbitrator by the International Court of Arbitration of the ICC.

Myriam is the Chair of the ICC Canada Arbitration Committee, the Regional Editor for common law jurisdictions of the Delos Guide to Arbitration Places and a frequent guest lecturer on investment treaty arbitration at Osgoode Hall Law School and McGill University.

Sebastian Melo

Sebastián is an associate in Agora. His practice focuses on foreign investment protection law and international arbitration. He has experience advising Canadian companies with mining and other types of projects in Latin America and elsewhere with respect to foreign investment protections and representing them in investor-state arbitrations, including before the International Centre for the Settlement of Investment Disputes (ICSID).

He has more than six years of experience representing different international companies before international and domestic (Colombian) arbitral tribunals. Since 2019, he has been on the Arbitral Tribunal Secretaries Roster of Bogotá's Chamber of Commerce Arbitration and Conciliation Center and has acted as arbitral tribunal secretary in more than ten cases.

He is a lawyer admitted to practice in Colombia, has postgraduate studies in commercial law, completed a specialized course for Arbitral Tribunal Secretaries, and is currently pursuing studies in Global Business Management.

Before joining the firm, Sebastián was an associate at a Colombian firm where he focused his practice on commercial litigation in different jurisdictions and sectors, especially in the mining and energy sector. In 2016, he was a semifinalist in the Inter-American Human Rights Competition at the American University – Washington College of Law.

James Matthew Birkelund

Tel: (415) 602-6223; james@birkelundlaw.com

PROFILE

Energy and environmental attorney with over 22 years of legal experience. Extensive practice advocating before regulatory commissions and administrative bodies, litigating in civil courts, and representing clients on utility and energy matters.

EDUCATION

UNIVERSITY OF MICHIGAN LAW SCHOOL, Ann Arbor, Michigan
Juris Doctor, 1996-1999

UNIVERSITY OF MICHIGAN, SCHOOL OF NATURAL RESOURCES, Ann Arbor, Michigan
Master of Science, Resource Policy, 1995-1999

COLGATE UNIVERSITY, Hamilton, New York
Bachelor of Arts, *magna cum laude*, in Geology and Economics, 1989-1993

LEGAL EXPERIENCE AND SELECT ENGAGEMENTS

E&E LAW CORP, Portland, Oregon

PREVIOUSLY BIRKELUND LAW, San Francisco, California

Attorney, 2009-present

- Public interest attorney focused on energy and environmental matters.
- Represent intervenors and other parties on matters before Regulatory Utility Commissions, including in California, Colorado, South Dakota, Washington D.C., Oregon, Washington, and Ontario, Canada.
- Extensive energy experience advocating on general rate cases; distributed energy resource cases, including transportation electrification, demand response, energy storage, microgrids, and net energy metering; telecommunication dockets; bill debt relief cases; and wildfire issues.
- Nonprofit clients have included: Small Business Utility Advocates, Sierra Club, California State Parks Foundation, Wetlands Defense Fund, Plastic Pollution Coalition, Climate Change Law Foundation, and Women's Earth Alliance.

Sample Projects

- Advised solar industry client on protecting solar incentives by intervening before Colorado PUC.
- Represented client in providing energy efficiency products to third parties that qualify for loan programs with Southern California Edison.
- Negotiated hydropower agreements with Irrigation District in California, including provisions related to utility connections and net energy metering.
- Provided counsel for Indian Tribe on pipeline-related approvals before PUC in South Dakota.
- Drafted solar photovoltaic agreements with terms for utility connections and rebate programs.
- Advised utility on compliance with new and revised utility laws and regulations.
- Represented client on matters related to Tehachapi Renewable Transmission Project and Certificate of Public Convenience and Necessity at California PUC.
- Negotiated terms of "Hardship Efficiency Program" on behalf of utility to educate low-income households on energy efficiency.
- Advised utility on new initiative to procure and sell tradable renewable energy certificates.
- Evaluated and submitted administrative comments on proposed 500-megawatt hydroelectric dam project in Southern California.
- Established working group with nonprofit groups to evaluate renewable energy plans, including solar proposals in central desert of California.
- Analyzed and advised public officials on San Diego Gas & Electric's Sunrise Powerlink project before the California PUC.
- Analyzed and commented on U.S. Department of Energy proposals for nationwide transmission corridors for up to 500kV.

James Matthew Birkelund

(CONTINUED)

SAN FRANCISCO SUPERIOR COURT, San Francisco, California

Pro Tem Judge, 2012-present

CLEANTECH LAW PARTNERS, San Francisco, California

Attorney Advisor to Utilities Practice Group, 2010-present

- Counsel to full-service law firm specializing in renewable energy including utilities matters.

ELECTRICITY UTILITY (SYNERGY), Perth, Australia

In-House Counsel, 2008

- Counsel to Western Australia's largest energy utility with over \$1.5 billion in annual revenue.
- Formulated company environmental policies and positions; advised upper management on regulatory compliance; negotiated, reviewed, and drafted commercial agreements.
- Negotiated with *Office of Energy* and administrative agencies regarding compliance with energy market rules; drafted internal legal opinions; led training sessions for energy traders.

Alternative Energy Projects

- Provided legal and business advice to launch the sale of tradable Renewable Energy Certificates (RECs) as a new product; drafted and negotiated contract provisions regarding the same.
- Analyzed and formulated company position on Australia's new emissions trading scheme and submitted comments to the *Department of Climate Change*.
- Advised and drafted legal terms for a \$60-million contract to sell RECs and energy to the *Public Transport Authority* and a \$20-million contract to sell alternative energy to *Murdoch University*.

NATURAL RESOURCES DEFENSE COUNCIL, Los Angeles, California

Senior Project Attorney, 2004-2008

- Environmental lawyer for prominent nonprofit organization (*see www.nrdc.org*).
- Duties included litigating, negotiating with resource agencies, pursuing administrative actions, testifying at public hearings, coordinating legislative campaigns, and lobbying public officials.

Sample Projects

- Presented winning testimony at the largest ever administrative hearing before the California Coastal Commission (over 3,500 people) to protect the state park at *San Onofre State Beach*.
- Won federal court decision under Endangered Species Act and National Environmental Protection Act to enforce nuclear cleanup at *Santa Susana Field Laboratory*.
- Litigated to protect *Colonel Allensworth State Historic Park*, one of California's leading landmarks honouring African-American history, from dairy farm air and water pollution.

MORRISON & FOERSTER LLP, San Francisco, California

Attorney Associate, 2000-2002

- Advised clients on environmental litigation, permitting and compliance matters, and land-use planning.
- Analyzed environmental laws and regulations; negotiated with governmental agencies, including air quality districts, California DOJ, federal EPA, Attorneys General, and City Attorneys.

Sample Projects

- Responded to citizen challenges to Operating Permits and Authorities to Construct under the Clean Air Act, Title V.
- Represented corporations with permitting and compliance under the Clean Air Act and Clean Water Act, including responding to notices of violations, negotiating with Air Districts.
- Advised *San Francisco Airport* on environmental impacts of new runways, including under Clean Water Act, Endangered Species Act, Clean Air Act, and National Environmental Policy Act.

James Matthew Birkelund

(CONTINUED)

TEACHING AND OTHER VOLUNTEERING

EXECUTIVE COMMITTEE, CALIFORNIA LAWYERS ASSOCIATION, San Francisco, California
Environmental Executive Committee, Member, 2017-2020 (appointed term), Advisor, 2021-present

CLIMATE CHANGE LAW FOUNDATION, San Francisco, California
Board of Directors, 2012-present

SMALL BUSINESS UTILITY ADVOCATES, San Francisco, California
Board of Directors, 2012-2022

HASTINGS COLLEGE OF LAW, San Francisco, California
Adjunct Professor, 2010-2014 (fall semesters)

SIERRA CLUB, Bay Chapter, San Francisco, California
Legal Committee Member, 2010-2019

LOS ANGELES COUNTY BAR ASSOCIATION, Los Angeles, California
Member of Environmental Executive Committee, 2007-2008

VENICE NEIGHBORHOOD COMMUNITY COUNCIL, Venice, California
Board Member, 2007-2008

Elected as public official to represent the over 30,000 citizens of Venice. Attended council meetings and voted on community issues.

RECENT CONFERENCES

Panel Moderator, Diversity, Equity, Inclusion and Justice before the California Public Utilities Commission, California Lawyers Association's Yosemite Environmental Law Conference, CA, Oct. 20, 2021. Speakers include CPUC Commissioner Darcie L. Houck.

Conference Organizer, Courts as Change Agents for Environmental Law Enforcement, California Lawyers Association Virtual Conference, May 8, 2020.

Conference Organizer, The Race to a Carbon Free Grid in California: California Lawyers Association 2019 Energy Law Conference, Oakland, CA, Mar. 28, 2019.

Panel Moderator, Common Law Lawsuits by Municipalities in the Name of Climate Change, Yosemite Environmental Law Conference, Fish Camp, CA, Oct. 20, 2018.

Panel Moderator, Sea Level Rise and the Law, California Lawyer's Association Conference, San Francisco, CA, Aug. 20, 2018.

Panel Moderator, Novel Claims to Tackle Climate Change and Air Pollution, Private Enforcement Conference – Challenges in the Trump Era, Oakland, CA, May 4, 2018.

BAR ADMISSIONS:

State of California (#206328)

U.S. Court of Appeals, Ninth Circuit

U.S. District Courts, Northern, Eastern, and Southern Districts of California

EB-2022-0018 : 1 : Sebastian Melo

COST CLAIM NUMBER 1202	SUBMISSION DEADLINE DATE March 30, 2023	CLAIM STATUS Approved by Finance
EB# EB-2022-0018: Rates: Distribution: Burlington Hydro Inc.	OTHER EB#S	PHASE #* 1
INTERVENOR Melo, Sebastian; +1 (416) 220-6245 smelo@agora.law	INTERVENOR COMPANY* Small Business Utility Alliance , Elora: Cooperative	INTERVENOR TYPE Unregistered
HST RATE ONTARIO 13.00	EXCHANGE RATE	COUNTRY Canada
HST NUMBER	LATE SUBMISSION ALLOWED No	EXTENSION DEADLINE DATE

PARTICIPANTS

New	Non-Filing Participant First, Last Name	Filing Participant	Total (\$)	Total Hours	Participant Claim Status
No	,	Birkelund, James; +1 (415) 602-6223 james@birkelundlaw.com	1,118.72	3.00	Submitted
No	,	Melo, Sebastian; +1 (416) 220-6245 smelo@agora.law	1,792.30	9.33	Submitted
No	,	Seers, Myriam; +1 (416) 886-7154 mseers@agora.law	327.70	1.00	Submitted

ATTACHMENTS

Attachment	Document Type	Import Message
Cover Letter - 2022-0018.pdf		
SBUA EB-2022-0018 Cost Claim 033020231545.pdf		
Cost claim - EB-2022-0018.pdf	Cover Letter	
SBUA EB-2022-0018 Cost Claim 033020231547.pdf		

TOTAL LEGAL/CONSULTANT/OTHER FEES
2,866.10

TOTAL DISBURSEMENTS
0.00

TOTAL HST
372.62

TOTAL CLAIM
3,238.72

TOTAL AMOUNT AWARDED

TOTAL HOURS CLAIMED
13.33

TOTAL HOURS DISALLOWED

REASON FOR
DISALLOWANCE

REASON FOR
DISALLOWANCE - 2

REASON FOR
DISALLOWANCE - 3

MAKE CHEQUE PAYABLE TO
Agora International Law PC

SEND PAYMENT TO ADDRESS
Bay Adelaide Centre West 333 Bay Street, Suite 900, Toronto, ON M5H 2R2

ATTENTION
Myriam Seers

SUBMIT SECTION

I am a representative of the Party. I have examined all of the documentation in support of this cost claim. The costs incurred and time spent are directly related to the Party's participation in the OEB Process referred to above.

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 section 6.05 and 6.09 of the OEB's Practice Direction on Cost Awards.

The information (fees and disbursements) filed in this cost claim is complete and accurate and in accordance with the OEB's Practice Direction for Cost Awards and Appendix A, the Cost Awards Tariff.

SUBMITTED BY
Sebastian Melo

DATE SUBMITTED
March 30, 2023

James Birkelund

April 24, 2023

CASE EB-2022-0018: Rates: Distribution: Burlington Hydro Inc.	COST CLAIM EB-2022-0018 : 1 : Sebastian Melo	INTERVENOR NAME Melo, Sebastian; +1 (416) 220-6245 smelo@agora.law	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Birkelund, James; +1 (415) 602-6223 james@birkelundlaw.com	NEW PARTICIPANT No	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 2000	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 22	HOURLY RATE 330
HST RATE CHARGED* 13.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Attached	LAST CV DATE March 30, 2023	OVERRIDE HOURLY RATE No
HST NUMBER	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours	Hearings Subtotal (\$)	Hearings Total Tax (\$)	Hearings Total (\$)
3.00	990.00	128.72	1,118.72

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
REVIEW APPLICATION AND EVIDENCE						
Review Application and Evidence	0.25	330	82.50	13.00	10.73	93.23
DISCOVERY						
Preparation of Interrogatories		330		13.00		
Review Interrogatory Responses		330		13.00		
Technical Conference Preparation		330		13.00		
Technical Conference Attendance		330		13.00		
Technical Conference Follow Up		330		13.00		
ISSUES LIST						
Preparation		330		13.00		
Attendance at Issues Conference		330		13.00		
INTERVENOR EVIDENCE						
Preparation	1.00	330	330.00	13.00	42.90	372.90
Interrogatory Responses		330		13.00		
Preparation of Witness(es) for Attendance at Hearing		330		13.00		
SETTELEMENT CONFERENCE / ADR						
Preparation		330		13.00		
Attendance		330		13.00		

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Preparation of Settlement Proposal		330		13.00		
Attendance at Presentation to Panel		330		13.00		
ORAL HEARING						
Preparation		330		13.00		
Attendance at Oral Hearing		330		13.00		
SUBMISSIONS						
Written Submissions	0.25	330	82.50	13.00	10.73	93.23
Oral Submissions		330		13.00		
Attendance at Oral Submissions		330		13.00		
OTHER ATTENDANCE						
Other Attendance		330		13.00		
COMMUNICATION						
With Client	1.00	330	330.00	13.00	42.90	372.90
With Other Parties		330		13.00		
MOTIONS						
Preparation of Motion(s) Materials		330		13.00		
Prepare Submissions on the Motion(s)		330		13.00		
Attendance at Hearing on Motion(s)		330		13.00		
CONFIDENTIALITY						
Preparation of Application for Confidentiality		330		13.00		
Prepare Submissions on Confidentiality		330		13.00		
Attendance at Hearing on Confidentiality		330		13.00		
DECISION						
Review	0.25	330	82.50	13.00	10.73	93.23
RATE ORDER						
Review	0.25	330	82.50	13.00	10.73	93.23
Prepare Submission on Rate Order		330		13.00		
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees:	3.00		990.00		128.72	1,118.72

Attachments

General Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Invoice E&E Law Corp (EB-2022-0018).pdf	Invoice	
J Birkelund CV_20221205.PDF	CV	
Time docket.pdf	Time Docket	

Sebastian Melo

April 24, 2023

CASE EB-2022-0018: Rates: Distribution: Burlington Hydro Inc.	COST CLAIM EB-2022-0018 : 1 : Sebastian Melo	INTERVENOR NAME Melo, Sebastian; +1 (416) 220-6245 smelo@agora.law	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Melo, Sebastian; +1 (416) 220-6245 smelo@agora.law	NEW PARTICIPANT No	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 2017	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 5	HOURLY RATE 170
HST RATE CHARGED* 13.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Attached	LAST CV DATE March 30, 2023	OVERRIDE HOURLY RATE No
HST NUMBER	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours 9.33	Hearings Subtotal (\$) 1,586.10	Hearings Total Tax (\$) 206.20	Hearings Total (\$) 1,792.30
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<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
REVIEW APPLICATION AND EVIDENCE						
Review Application and Evidence	1.66	170	282.20	13.00	36.69	318.89
DISCOVERY						
Preparation of Interrogatories		170		13.00		
Review Interrogatory Responses		170		13.00		
Technical Conference Preparation		170		13.00		
Technical Conference Attendance		170		13.00		
Technical Conference Follow Up		170		13.00		
ISSUES LIST						
Preparation		170		13.00		
Attendance at Issues Conference		170		13.00		
INTERVENOR EVIDENCE						
Preparation	4.42	170	751.40	13.00	97.68	849.08
Interrogatory Responses		170		13.00		
Preparation of Witness(es) for Attendance at Hearing		170		13.00		
SETTELEMENT CONFERENCE / ADR						
Preparation		170		13.00		
Attendance		170		13.00		

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Preparation of Settlement Proposal		170		13.00		
Attendance at Presentation to Panel		170		13.00		
ORAL HEARING						
Preparation		170		13.00		
Attendance at Oral Hearing		170		13.00		
SUBMISSIONS						
Written Submissions		170		13.00		
Oral Submissions		170		13.00		
Attendance at Oral Submissions		170		13.00		
OTHER ATTENDANCE						
Other Attendance		170		13.00		
COMMUNICATION						
With Client		170		13.00		
With Other Parties		170		13.00		
MOTIONS						
Preparation of Motion(s) Materials		170		13.00		
Prepare Submissions on the Motion(s)		170		13.00		
Attendance at Hearing on Motion(s)		170		13.00		
CONFIDENTIALITY						
Preparation of Application for Confidentiality		170		13.00		
Prepare Submissions on Confidentiality		170		13.00		
Attendance at Hearing on Confidentiality		170		13.00		
DECISION						
Review	0.75	170	127.50	13.00	16.58	144.08
RATE ORDER						
Review		170		13.00		
Prepare Submission on Rate Order	2.50	170	425.00	13.00	55.25	480.25
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees:	9.33		1,586.10		206.20	1,792.30

Attachments

General Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Agora's time dockets.pdf	Time Docket	
Invoice Agora.pdf	Invoice	
Sebastian's resume.pdf	CV	

Time docket

Sebastian Melo					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/10/2022	2022-0018 Burlington Hydro Inc. -Analysis of the documents filed by Burlington under File No. EB-2022-0018 and elaboration of the request for intervention.	1	20	1.33	\$ 170.00
11/10/2022	2022-0018 Burlington Hydro Inc. -Filing of SBUA's application to intervene in the proceeding	0	20	0.33	
11/21/2022	2022-0018 Burlington Hydro Inc. - Application review conducted and interrogatories to be filed by SBUA.	3	35	3.58	
11/24/2022	2022-0018 Burlington Hydro Inc. - Review of the request made and interrogations to be presented by SBUA, as well as sending to James and Britt	0	25	0.42	
11/28/2022	2022-0018 Burlington Hydro Inc. - Review of feedback by James and Britt, as well as filing of interrogations	0	25	0.42	
3/23/2023	2022-0018 Burlington Hydro Inc. - Review of the decision issued by the OEB and remittance of emails in this regard	0	45	0.75	
3/28/2023	2022-0018 Burlington Hydro Inc. - Review of hours spent in the case for cost claim, as well as request of hours to James and Britt	1	10	1.17	
3/30/2023	2022-0018 Burlington Hydro Inc. - Preparation of documents and recollection of information in order to file cost claim	1	20	1.33	
Subtotal		6	200	9.33	
Total					\$ 1,586.67

Myriam Seers					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/24/2022	2022-0018 Burlington Hydro Inc. -Review of interrogatories to be filed on behalf of SBUA	1	0	1.00	\$ 290.00
Total					\$ 290.00

By email

March 30, 2023

Small Business Utility Alliance (SBUA)

c/o Britt Marra, Project Manager
 24 Valifor Pl.
 Toronto, ON M4J 4Z7
 Canada
brittmarra@gmail.com

Payment Terms: Upon Receipt

RE: EB-2022-0018 – Application for raising its electricity distribution rates effective May 1, 2023, by Burlington Hydro Inc.

Sebastian Melo					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/10/2022	2022-0018 Burlington Hydro Inc. - Analysis of the documents filed by Burlington under File No. EB-2022-0018 and elaboration of the request for intervention.	1	20	1.33	\$ 170.00
11/10/2022	2022-0018 Burlington Hydro Inc. -Filing of SBUA's application to intervene in the proceeding	0	20	0.33	
11/21/2022	2022-0018 Burlington Hydro Inc. - Application review conducted and interrogatories to be filed by SBUA.	3	35	3.58	
11/24/2022	2022-0018 Burlington Hydro Inc. - Review of the request made and interrogations to be presented by SBUA, as well as sending to James and Britt	0	25	0.42	
11/28/2022	2022-0018 Burlington Hydro Inc. - Review of feedback by James and Britt, as well as filing of interrogations	0	25	0.42	
3/23/2023	2022-0018 Burlington Hydro Inc. - Review of the decision issued by the OEB and remittance of emails in this regard	0	45	0.75	

3/28/2023	2022-0018 Burlington Hydro Inc. - Review of hours spent in the case for cost claim, as well as request of hours to James and Britt	1	10	1.17	
3/30/2023	2022-0018 Burlington Hydro Inc. - Preparation of documents and recollection of information in order to file cost claim	1	20	1.33	
Subtotal		6	200	9.33	
Total					\$ 1,586.67

Myriam Seers					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/24/2022	2022-0018 Burlington Hydro Inc. -Review of interrogatories to be filed on behalf of SBUA	1	0	1.00	\$ 290.00
Total					\$ 290.00

Subtotal	CAD 1,876.67
HST (13%)	CAD 243.97
Total	CAD 2,120.63

PAYMENT DETAILS

By wire transfer

Agora International Law Professional Corporation

2 Grange Place

Toronto, Ontario M5T 1Z5 Canada

Payments in CAD:

Bank Name: CIBC

Transit Number: 00001-003

Bank Address: 460 University Ave Toronto, ON M5G 1V1

Institution Number: 010

Transit Number: 04702

Account Number: 6675018

Payments in USD (from within the US):

ACH and Wire routing number: 084009519
Account number: 9600000165184741

Wise US, Inc.
30 W. 26th Street, Sixth Floor
New York NY 10010

Partner Bank:
Evolve Bank and Trust
6070 Poplar Ave Suite 200
Memphis TN 38119
United States

Please contact us if you need bank details for our USD (from outside the US), EUR, or GBP accounts.

We remain at your disposal should you have any questions.



Myriam Seers

Sebastian Melo

Sebastián is an associate in Agora. His practice focuses on foreign investment protection law and international arbitration. He has experience advising Canadian companies with mining and other types of projects in Latin America and elsewhere with respect to foreign investment protections and representing them in investor-state arbitrations, including before the International Centre for the Settlement of Investment Disputes (ICSID).

He has more than six years of experience representing different international companies before international and domestic (Colombian) arbitral tribunals. Since 2019, he has been on the Arbitral Tribunal Secretaries Roster of Bogotá's Chamber of Commerce Arbitration and Conciliation Center and has acted as arbitral tribunal secretary in more than ten cases.

He is a lawyer admitted to practice in Colombia, has postgraduate studies in commercial law, completed a specialized course for Arbitral Tribunal Secretaries, and is currently pursuing studies in Global Business Management.

Before joining the firm, Sebastián was an associate at a Colombian firm where he focused his practice on commercial litigation in different jurisdictions and sectors, especially in the mining and energy sector. In 2016, he was a semifinalist in the Inter-American Human Rights Competition at the American University – Washington College of Law.

CASE EB-2022-0018: Rates: Distribution: Burlington Hydro Inc.	COST CLAIM EB-2022-0018 : 1 : Sebastian Melo	INTERVENOR NAME Melo, Sebastian; +1 (416) 220-6245 smelo@agora.law	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Seers, Myriam; +1 (416) 886-7154 mseers@agora.law	NEW PARTICIPANT No	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 2008	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 14	HOURLY RATE 290
HST RATE CHARGED* 13.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Attached	LAST CV DATE March 30, 2023	OVERRIDE HOURLY RATE No
HST NUMBER	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours 1.00	Hearings Subtotal (\$) 290.00	Hearings Total Tax (\$) 37.70	Hearings Total (\$) 327.70
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<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
REVIEW APPLICATION AND EVIDENCE						
Review Application and Evidence		290		13.00		
DISCOVERY						
Preparation of Interrogatories		290		13.00		
Review Interrogatory Responses		290		13.00		
Technical Conference Preparation		290		13.00		
Technical Conference Attendance		290		13.00		
Technical Conference Follow Up		290		13.00		
ISSUES LIST						
Preparation		290		13.00		
Attendance at Issues Conference		290		13.00		
INTERVENOR EVIDENCE						
Preparation	1.00	290	290.00	13.00	37.70	327.70
Interrogatory Responses		290		13.00		
Preparation of Witness(es) for Attendance at Hearing		290		13.00		
SETTELEMENT CONFERENCE / ADR						
Preparation		290		13.00		
Attendance		290		13.00		

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Preparation of Settlement Proposal		290		13.00		
Attendance at Presentation to Panel		290		13.00		
ORAL HEARING						
Preparation		290		13.00		
Attendance at Oral Hearing		290		13.00		
SUBMISSIONS						
Written Submissions		290		13.00		
Oral Submissions		290		13.00		
Attendance at Oral Submissions		290		13.00		
OTHER ATTENDANCE						
Other Attendance		290		13.00		
COMMUNICATION						
With Client		290		13.00		
With Other Parties		290		13.00		
MOTIONS						
Preparation of Motion(s) Materials		290		13.00		
Prepare Submissions on the Motion(s)		290		13.00		
Attendance at Hearing on Motion(s)		290		13.00		
CONFIDENTIALITY						
Preparation of Application for Confidentiality		290		13.00		
Prepare Submissions on Confidentiality		290		13.00		
Attendance at Hearing on Confidentiality		290		13.00		
DECISION						
Review		290		13.00		
RATE ORDER						
Review		290		13.00		
Prepare Submission on Rate Order		290		13.00		
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees:	1.00		290.00	37.70		327.70

Attachments

General Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Agora's time dockets.pdf	Time Docket	
Invoice Agora.pdf	Invoice	
Myriam's resume.pdf	CV	

Time docket

Sebastian Melo					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/10/2022	2022-0018 Burlington Hydro Inc. -Analysis of the documents filed by Burlington under File No. EB-2022-0018 and elaboration of the request for intervention.	1	20	1.33	\$ 170.00
11/10/2022	2022-0018 Burlington Hydro Inc. -Filing of SBUA's application to intervene in the proceeding	0	20	0.33	
11/21/2022	2022-0018 Burlington Hydro Inc. - Application review conducted and interrogatories to be filed by SBUA.	3	35	3.58	
11/24/2022	2022-0018 Burlington Hydro Inc. - Review of the request made and interrogations to be presented by SBUA, as well as sending to James and Britt	0	25	0.42	
11/28/2022	2022-0018 Burlington Hydro Inc. - Review of feedback by James and Britt, as well as filing of interrogations	0	25	0.42	
3/23/2023	2022-0018 Burlington Hydro Inc. - Review of the decision issued by the OEB and remittance of emails in this regard	0	45	0.75	
3/28/2023	2022-0018 Burlington Hydro Inc. - Review of hours spent in the case for cost claim, as well as request of hours to James and Britt	1	10	1.17	
3/30/2023	2022-0018 Burlington Hydro Inc. - Preparation of documents and recollection of information in order to file cost claim	1	20	1.33	
Subtotal		6	200	9.33	
Total					\$ 1,586.67

Myriam Seers					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/24/2022	2022-0018 Burlington Hydro Inc. -Review of interrogatories to be filed on behalf of SBUA	1	0	1.00	\$ 290.00
Total					\$ 290.00

By email

March 30, 2023

Small Business Utility Alliance (SBUA)

c/o Britt Marra, Project Manager
 24 Valifor Pl.
 Toronto, ON M4J 4Z7
 Canada
brittmarra@gmail.com

Payment Terms: Upon Receipt

RE: EB-2022-0018 – Application for raising its electricity distribution rates effective May 1, 2023, by Burlington Hydro Inc.

Sebastian Melo					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/10/2022	2022-0018 Burlington Hydro Inc. - Analysis of the documents filed by Burlington under File No. EB-2022-0018 and elaboration of the request for intervention.	1	20	1.33	\$ 170.00
11/10/2022	2022-0018 Burlington Hydro Inc. -Filing of SBUA's application to intervene in the proceeding	0	20	0.33	
11/21/2022	2022-0018 Burlington Hydro Inc. - Application review conducted and interrogatories to be filed by SBUA.	3	35	3.58	
11/24/2022	2022-0018 Burlington Hydro Inc. - Review of the request made and interrogations to be presented by SBUA, as well as sending to James and Britt	0	25	0.42	
11/28/2022	2022-0018 Burlington Hydro Inc. - Review of feedback by James and Britt, as well as filing of interrogations	0	25	0.42	
3/23/2023	2022-0018 Burlington Hydro Inc. - Review of the decision issued by the OEB and remittance of emails in this regard	0	45	0.75	

3/28/2023	2022-0018 Burlington Hydro Inc. - Review of hours spent in the case for cost claim, as well as request of hours to James and Britt	1	10	1.17	
3/30/2023	2022-0018 Burlington Hydro Inc. - Preparation of documents and recollection of information in order to file cost claim	1	20	1.33	
Subtotal		6	200	9.33	
Total					\$ 1,586.67

Myriam Seers					
Date	Matter	Hours	Minutes	Subtotal	Hourly Rate
11/24/2022	2022-0018 Burlington Hydro Inc. -Review of interrogatories to be filed on behalf of SBUA	1	0	1.00	\$ 290.00
Total					\$ 290.00

Subtotal	CAD 1,876.67
HST (13%)	CAD 243.97
Total	CAD 2,120.63

PAYMENT DETAILS

By wire transfer

Agora International Law Professional Corporation

2 Grange Place

Toronto, Ontario M5T 1Z5 Canada

Payments in CAD:

Bank Name: CIBC

Transit Number: 00001-003

Bank Address: 460 University Ave Toronto, ON M5G 1V1

Institution Number: 010

Transit Number: 04702

Account Number: 6675018

Payments in USD (from within the US):

ACH and Wire routing number: 084009519
Account number: 9600000165184741

Wise US, Inc.
30 W. 26th Street, Sixth Floor
New York NY 10010

Partner Bank:
Evolve Bank and Trust
6070 Poplar Ave Suite 200
Memphis TN 38119
United States

Please contact us if you need bank details for our USD (from outside the US), EUR, or GBP accounts.

We remain at your disposal should you have any questions.



Myriam Seers

Myriam Seers

Myriam is Agora's founding partner. Before that, she spent most of her career in major Canadian business law firms McMillan and Torys.

She specializes in investment treaty arbitration and international commercial arbitration, with a particular focus on disputes arising from the mining, electricity (including renewable energy), oil & gas and transportation sectors. She has experience with disputes involving projects all over the world, with a particular emphasis on Latin America. She also appears before Canadian courts in proceedings to set aside or enforce foreign arbitral awards.

Myriam is based in Toronto, Canada, a global center for the mining industry. Throughout her career, she has worked on cases involving mining projects at all phases of their life cycle, from early-stage exploration to development-stage projects to operating mines, in jurisdictions as varied as Ecuador, Mexico, Costa Rica, Côte d'Ivoire, Madagascar and the Kyrgyz Republic. She has extensive experience helping clients navigate the wide variety of roadblocks that can stall or stop a mining project over the course of its life, and in fearlessly advocating on clients' behalf in an investment treaty arbitration or other dispute resolution forum when those roadblocks cannot be overcome.

Myriam also has substantial experience with disputes involving renewable energy projects, including offshore wind, onshore wind, hydroelectric and solar projects.

Myriam is ranked as a "Future Leader" by the global publication "Who's Who Legal: Arbitration" (which states that she is "truly excellent" and has "a remarkable reputation for her work on large, complex international arbitration proceedings") and "Up and Coming" by Chambers Global and Chambers Canada: Dispute Resolution (which states that she is "extremely bright and dynamic" and "attracts praise for her ability to understand and manage very complicated situations"). She works in English, French, Spanish, Portuguese and Italian.

In addition to her counsel practice, Myriam sits as an arbitrator and is part of Arbitration Place's NextGen roster of arbitrators. She has been appointed arbitrator by the International Court of Arbitration of the ICC.

Myriam is the Chair of the ICC Canada Arbitration Committee, the Regional Editor for common law jurisdictions of the Delos Guide to Arbitration Places and a frequent guest lecturer on investment treaty arbitration at Osgoode Hall Law School and McGill University.