



PUBLIC INTEREST ADVOCACY CENTRE
LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC

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June 11, 2010

VIA EMAIL

Yukon Utilities Board
Box 31728
Whitehorse, Yukon
Y1A 6L3

Attention: Shay Smart, Board Secretary

Dear Ms. Smart:

Re: Mayo B Hydro Enhancement Proceeding, Cost Claim of Utilities Consumers' Group

Further to the instructions received from our client, the Utilities Consumers' Group ("UCG"), we enclose for the review of the Board the costs claimed by UCG for reimbursement resulting from the recent application by YEC in respect of the proposed Mayo B Hydro Enhancement Project.

The cost claim consists of the following documents:

- a) A summary of the fees and disbursements claimed in respect of the work performed by Mr. Buonaguro and Mr. McMahon on behalf of UCG,
- b) A statutory declaration in support of the costs claim,
- c) An invoice detailing the time claimed for Mr. McMahon,
- d) A current resume for Mr. McMahon,
- e) An invoice detailing the time claimed for Mr. Buonaguro, and
- f) invoices and receipts supporting the claimed disbursements.

UCG does not have access to the direct funding required to retain legal support and consulting services for its intervention. Accordingly UCG relies on the Public Interest Advocacy Centre ("PIAC"), as do other groups that retain PIAC's services, to provide legal support and obtain consultant services on the basis that PIAC can recover the requisite fees and disbursements through the appropriate cost process before the relevant regulatory entity. In this way PIAC is entirely at risk with respect to its participation in most regulatory proceedings; PIAC recovers only those disbursements and fees that the relevant Board allows it to

recover in a cost award.

Accordingly PIAC is diligent in ensuring that its intentions with respect to the retainer of counsel and consultants for the benefit of its clients, like UCG, are made known to the relevant presiding body as early as possible so that any concerns about the retainer and rates claimed can be raised before PIAC's counsel and consultants engage in significant amounts of work. In this case, PIAC's intentions were detailed by PIAC correspondence to the YUB dated February 18, 2010, forwarded by UCG to the Board and all parties on February 19, 2010, setting out the intent to use Mr. Buonaguro and Mr. McMahon to assist UCG in this proceeding, at the rates as set out in detail below.

As noted, UCG retained the services of PIAC as legal counsel, and Pat McMahon (PaTina Energy Consultants) to provide expert advice on the issues debated in this proceeding. In these proceedings, Mr. Buonaguro and Mr. McMahon supported the intervention of a legitimately constituted ratepayer group by providing extensive legal representation and consulting services. PIAC respectfully submits that Mr. Buonaguro and Mr. McMahon provided their respective services in a manner and with the expertise that assisted in the quality and efficiency of the proceeding as a whole, and assisted its client in making valuable submissions from the perspective of the ratepayers that UCG represents.

PIAC submits that in view of the nature and complexity of the proceeding that the costs incurred by UCG were reasonable and were directly and necessarily related to UCG's effective participation. PIAC further submits that UCG acted responsibly and contributed to a better understanding of the issues to be decided by the Board.

RATES REQUESTED

MICHAEL BUONAGURO

As PIAC's legal counsel in Toronto Mr. Buonaguro specializes in regulatory proceedings related to energy, and qualifies, in accordance with the Ontario Energy Board tariff, for a rate of \$230.00 per hour, having been called to the Ontario Bar in 2002. We are aware, having participated in fairly recent YUB proceedings, that the current YUB tariff maximum for intervenor counsel is \$225.00 per hour. Accordingly PIAC repeats its request that the Board allow recovery of a rate of \$225.00 per hour for Mr. Buonaguro's participation in these proceedings on behalf of UCG, subject to the Board's review of his cost claim. PIAC notes that UCG was permitted to recover \$225.00 per hour for Mr. Buonaguro in the recent YEC 2008/2009 GRA.

In addition to the fees plus applicable GST claimed for Mr. Buonaguro's services, PIAC is seeking the recovery of several disbursements in accordance with the

YUB's intervenor cost policy. In summary, PIAC is claiming reimbursement for:

- a) Economy airfare for 1 return trip between Toronto and Whitehorse in respect of the hearing,
- b) Hotel accommodation, exclusive of room charges, for 4 nights for the hearing; although the hearing was eventually shortened by one day, the cost of flying out of Whitehorse a day earlier than planned was approximately \$1000.00 more than the cost of the 4th night,
- c) Transcripts for the hearing,
- d) Fees incurred related to obtaining a Certificate of Permission to Act from the Law Society of Yukon, including a courier fee and a fee for obtaining a Certificate of Standing from the Law Society of Upper Canada.

It is our understanding that all of these disbursements are within the scope of the Board's cost policy as recoverable expenses, and represent expenses that UCG has been able to recover in the past.

We do note specifically that PIAC's expense with respect to obtaining a Certificate of Permission to Act in the Yukon for Mr. Buonaguro has in one instance (YEC's 20 Year Resource Plan proceeding) been allowed, and in another (YEC's 2008/09 GRA) disallowed. As there was no reply allowed in the cost claim process in YEC's 2008/09 GRA, we did not dispute the issue further in the YEC 2008/09 proceeding once raised by another intervenor; however it is PIAC's position that such a disbursement is clearly recoverable.

The expense related to a Certificate of Permission to Act is not a general overhead expense in the way that, for example, Mr. Buonaguro's Law Society Dues in Ontario are considered a general overhead expense. A Certificate of Permission to Act is specific to the proceeding and was required, in this instance, to allow Mr. Buonaguro to appear as counsel before the YUB to represent UCG for the oral hearing in this particular matter; it is not, accordingly, an expense that relates to his general practice. In PIAC's view it is no different than the cost of flying to the Yukon for the hearing, or the cost of the hotel; it is a cost incurred specifically as a result of the particular proceeding, and as such should be, as it was in the past, recoverable. We further note that the cost of the certificate has increased significantly, to \$787.50, since the previous proceeding in which PIAC participated, constituting over 16% of the total disbursements claimed. We enclose a copy of the Certificate in order to illustrate the fact that it is specific to this proceeding.

PAT McMAHON

We are fortunate to have been able to access the services of Pat McMahon as a consultant to assist with UCG's review of this application. It is normally PIAC's practice in regulatory proceedings as complex as transmission rate applications to retain at least one consultant of Mr. McMahon's caliber to review the

application, draft interrogatories, and work on argument and reply argument as appropriate. In Ontario a consultant with Mr. McMahon's qualifications providing these types of services would be entitled to a rate of \$330.00 per hour; accordingly, absent Mr. McMahon's participation, PIAC would have likely have provided a consultant to work in tandem with Mr. Buonaguro, and would have had to seek, at a minimum, the YUB tariff rate of \$225.00 for his/her services.

With the retainer of Mr. McMahon, our need for a skilled consultant to assist with this proceeding was filled with someone with not only the relevant general knowledge of the industry, but also an extensive background in the history of the Yukon energy sector in particular. In these circumstances we would respectfully reaffirm our initial submission to the Board dated February 18, 2010 that Mr. McMahon's requested rate of \$60.00 per hour is more than justified.

PIAC notes that in the past, where the applicant takes the opportunity to comment upon the cost claims submitted by the parties, that those parties have not been afforded a right of reply. Although PIAC feels that the cost claims submitted herein are well supported and should be accepted without revision, we cannot anticipate what comments may be made by the applicant or what items may be of concern to the Board. Under such circumstances we would suggest that it is common practice in other jurisdictions to allow the party whose cost claim has been impugned a right of reply in order to respond to any concerns that are raised, and respectfully ask that the Board consider, if necessary in this case, allowing parties whose claims have been commented on to reply to those comments before the Board decides on the final cost awards.

With respect to payment and in accordance with the instructions received from our client, we ask that all amounts be made payable to the Public Interest Advocacy Centre and sent to the attention of Donna Brady at:

- ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7

If there are any questions concerning the contents of this cost claim I would ask that they be directed to Mr. Buonaguro by email at mbuonaguro@piac.ca, or by phone at (416) 767-1666.

Yours very truly,

Michael Janigan
Executive Director
Public Interest Advocacy Centre
Encl.

UCG COST CLAIM SUMMARY

YUKON UTILITIES BOARD
RE: MAYO B HYDRO ENHANCEMENT PROJECT PROCEEDING

SUMMARY OF PROFESSIONAL FEES CLAIMED

DATE: June 11, 2010

CLAIMANT	RATE CLAIMED/HOUR	PREPARATION		ATTENDANCE		ARGUMENT & REPLY		TOTAL HOURS	TOTAL FEES	GST
		HOURS	FEES	HOURS	FEE	HOURS	FEE			
PIAC-Michael Buonaguro	\$225.00	17.60	\$3,960.00	18.2	\$4,095.00	3	\$675.00	38.80	\$8,730.00	\$436.50
Patrick McMahon	\$60.00	114	\$6,855.00	0	\$0.00	8.25	\$495.00	122.50	\$7,350.00	\$367.50
TOTALS									\$16,080.00	\$804.00
TOTAL FEES CLAIM					\$16,884.00					

SUMMARY OF DISBURSEMENTS CLAIMED-PIAC		
DISBURSEMENT CLAIMED	AMOUNT	GST
Airfare (Hearing)	\$1,355.33	\$151.49
Hotel (Hearing, excl. Phone bills)	\$436.00	\$21.80
Transcripts (hearing)	\$1,931.20	\$0.00
Certificate of Permission to Act (Yukon)	\$750.00	\$37.50
LSUC Certificate of Standing	\$50.00	\$2.50
Courier fee (Certificate)	\$30.79	\$1.54
TOTAL DISBURSEMENT CLAIM	\$4,553.32	\$214.83
		\$4,768.15

100% of Fees and Disbursements Claimed (inclusive of GST)	\$21,652.15
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Statutory Declaration

IN THE MATTER OF AWARDING COSTS
TO THE UTILITIES CONSUMERS GROUP
PURSUANT TO SECTION 56 OF THE PUBLIC UTILITIES ACT, THE YUKON
UTILITIES BOARD RULES OF PRACTICE AND THE YUKON UTILITIES BOARD
INTERVENOR COSTS AWARD POLICY
FOR

THE YUKON ENERGY CORPORATION APPLICATION FOR A ENERGY PROJECT
CERTIFICATE RE: MAYO B HYDRO ENHANCEMENT PROJECT

I SOLEMNLY DECLARE THAT:

The award claim submission of \$21,652.15 (including GST), as detailed in the enclosed material, with supporting invoice documentation, has, to the best of my knowledge and belief been incurred by the Utilities Consumers Group as a result of the above noted proceeding and has been derived in accordance with the Yukon Utilities Board Rules of Practice.

I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

Declared before me
at the City of Toronto
in the Province of Ontario
this 11th day of June, 2010.



Marian MacGregor
Commissioner for Taking Affidavits



Michael Buonaguro
PUBLIC INTEREST ADVOCACY CENTRE
Counsel for UCG

PaTina Energy Consultants

65 Devon Road
Chatham, Ontario, N7L 3T7

Phone: (519) 354-8486 / (519) 437-0759
E-mail: patrick.mcmahon@sympatico.ca
GST Registration Number 85037 7359 RT0001

COST CLAIM STATEMENT

Consultant Services to Utilities Consumers' Group by Patrick McMahon

Yukon Utilities Board Proceeding: Yukon Energy Corporation - Energy Project Certificate and an Energy Operation Certificate regarding the Proposed Mayo Hydro Enhancement Project

- Preliminary discussions with UCG and PIAC, preliminary review of YEC's application and preparation of positioning / issues. (McMahon – 6.00 hours)
- Detailed review of YEC's application; development of information requests related to the issues to be addressed. (McMahon – 24.50 hours)
- Detailed review of interrogatory responses; preparation of submissions regarding request for additional disclosure; YEC response. (McMahon – 13.25 hours)
- Research on and preparation for cross-examination and related materials for public hearing, support during hearing. (McMahon – 70.50 hours)
- Preparation of UCG's final argument. (McMahon – 8.25 hours)

Total Hours:	122.5
Hourly Rate:	\$60.00
Total Fees Claimed:	\$7,350.00
GST (5%):	\$367.50
Total Claim:	\$7,717.50

Details of the time logged by Mr. McMahon in this proceeding are attached as schedule A. Summary details of Mr. McMahon's efforts in specific areas are outlined below.

1. Preparation of issues discussion and positioning

- Mr. McMahon provided UCG and PIAC with discussion notes on all issues. These discussion notes helped explain how issues have been addressed in other jurisdictions and how they needed to be addressed in this proceeding. Mr. McMahon provided advice to PIAC on how arguments could be developed on specific issues.

2. Preparation of information requests

- On February 26, 2010, UCG submitted 28 multi-part information requests. In preparation for this submission, Mr. McMahon reviewed the pre-filed evidence, material put on record at previous Board reviews of YEC and YECL operations, and conducted research on specific issue treatment in the Yukon and other jurisdictions. Mr. McMahon identified requests for information in numerous issue areas including funding agreements, the need for the project, draw down of the Mayo Lake, YEC's internal project planning and business case development, contracting efforts, and firm load commitments. Mr. McMahon also provided an editing service to ensure proper references were made to issues and evidence and to ensure that questions were asked such that the question was direct and obvious.

3. Detailed review of IR responses / preparation of submissions regarding disclosure

- YEC submitted close to 700 pages of responses to information requests submitted to it by the Board and intervenors. Reviewing this material required a lot of time to ensure that responses were complete and answered the questions asked. Mr. McMahon identified responses that were incomplete and required additional disclosure. Mr. McMahon prepared the March 15, 2010 request for additional disclosure on YEC's part. Mr. McMahon provided feedback to Mr. Buonaguro regarding the response by YEC to UCG's request for more disclosure.

4. Preparation of cross-examination materials / questions for hearing

- Besides a thorough review of the evidentiary record, preparation of cross-examination materials for the hearing required an extensive exchange of emails as well as telephone calls between UCG's legal counsel and Mr. McMahon. As requested by counsel, Mr. McMahon devoted considerable time to providing input into developing issue positions, identifying references to material and drafting questions for YEC. Mr. McMahon was called upon to respond to clarification and positioning questions from counsel regarding specific issues that each had raised.

5. Support during hearing

- During the 3 day hearing, Mr. McMahon made himself available prior to and after each session to clarify positions on various issues and to provide counsel with clarification of the history behind many of the issues being discussed at the hearing. Mr. McMahon was asked to research specific statements and issues that arose during the hearing. He provided material related to past YUB decisions as well as his experience in the utility industry and Yukon energy arena.

6. Preparation of final argument

- Developing UCG's final argument required the reading of the over 450 pages of transcript from the first 2 days of hearing as well as the thousands of pages of evidence put on the record through pre-filed evidence and responses to information requests. Mr. McMahon developed a shell for the final argument. The process for developing the final argument was an iterative one over several days involving Mr. McMahon, Mr. Rondeau and Mr. Buonaguro with each one offering suggestions on positions and edits to make from their own backgrounds.

Schedule A

Additional detail to explain functions performed by Patrick McMahon (PaTina Energy Consultants)

<u>DATE</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
February 18, 2010	Preliminary review of Application; draft potential issues	3.50
February 19, 2010	Continued review of Application; review expectations / issues with UCG and PIAC; determine services to be provided	2.50
February 22, 2010	Details review of evidence, preparation of draft interrogatories	4.25
February 23, 2010	Research on related materials from previous YUB proceedings	3.50
February 24, 2010	Prepare draft interrogatories; forward to UCG and PIAC to review; discuss revisions	9.50
February 25, 2010	Prepare revised draft interrogatories, correspondence with UCG and PIAC	3.00
February 26, 2010	Correspondence with UCG and PIAC regarding interrogatory issues and edits to interrogatories; finalization of UCG interrogatories for submission	4.25
March 8, 2010	Preliminary review of all IR responses, preliminary notes to UCG and PIAC on responses to UCG interrogatories	4.50
March 14, 2010	Review of YEC's responses to UCG interrogatories; draft letter requesting more complete responses / information	5.25
March 16, 2010	Review YCS evidence; prepare and deliver recommendations to UCG regarding issues and positioning	2.25
March 18, 2010	Review YEC response to UCG request for more complete IR responses; prepare draft response	2.00
March 19, 2010	Discuss YEC response to UCG request for more complete IR responses with UCG and PIAC; finalization of response	1.50
March 20, 2010	Review evidence record and develop tactics / positions for cross-examination questions and argument	4.00
March 21, 2010	Finalize overall positions for cross-examination and argument	1.50
March 29, 2010	Review supplemental IR responses; notes to UCG and PIAC	3.25
March 30, 2010	Review evidence, IR responses; develop draft cross-examination questions and argument positions	7.50

March 31, 2010	Discuss draft cross-examination questions with UCG and PIAC; initiate revision process to tie in to specific issues	8.50
April 1, 2010	Preparation for hearing including ongoing development of cross-examination questions / argument; clarification discussions with UCG and PIAC; review of evidence on record	7.50
April 2, 2010	Preparation for hearing including ongoing development of cross-examination questions / argument; discussions with UCG and PIAC	6.25
April 3, 2010	Preparation for hearing including ongoing development of cross-examination questions / argument; development of "what if" scenarios for responses; clarification of issues with UCG and PIAC	7.50
April 4, 2010	Preparation for hearing including ongoing development of cross-examination questions / argument; begin final preparation discussions for hearing UCG and PIAC	8.50
April 5, 2010	Final preparation and strategy discussions with UCG and PIAC for hearing; argument development based on evidence on record	6.50
April 6, 2010	Review of transcripts, preparation of cross-examination and draft of final argument; review with UCG and PIAC	7.25
April 7, 2010	Review of transcripts, preparation of final argument	8.25
Total:		122.50

Patrick E. McMahon

PaTina Energy Consultants

65 Devon Road

Chatham, Ontario, N7L 3T7

Telephone: 519•354•8486 (residence)

E-mail: patrick.mcmahon@sympatico.ca

EXPERIENCE / WORK HISTORY

Union Gas Limited, Chatham, Ontario

September 2004 **Manager, Regulatory Research and Records**

- Present

Summary of Function: Reporting to the Director, Regulatory Affairs, I manage the efforts of the Regulatory Research and Records group to monitor regulatory proceedings at the Ontario Energy Board and other jurisdictions, evaluate the issues raised during the proceedings, and communicate relevant issues to client departments throughout Union Gas. I am responsible for creating evidence and filing franchise renewal applications with the OEB. I also conduct specific research into regulatory issues and precedents and present findings to client departments.

- Intervene on behalf of Union Gas in proceedings before the Ontario Energy Board and other jurisdictions and coordinate submissions as required.
- Provide an ongoing review of current regulatory issues throughout North America relating to natural gas and electricity regulation and provide assessment of the impacts to Union Gas.
- Work directly with District Managers, Municipal Relations and OEB staff to resolve any issues related to franchise renewal proceedings.
- Coordinate with OEB staff, IT and client departments on the implementation of the OEB's electronic filing and document standardization initiative within Union Gas.

June 2002 - **Manager, Product and Services Costing**

September 2004

Summary of Function: Reporting to the Director, Regulatory Affairs, I was accountable for managing the preparation of financial and related material to fulfill the requirements and support the initiatives of various internal and external client groups, primarily as they relate to cost of service information. Internally, this included providing support for pricing of new and existing services, providing inputs into the determination of performance metrics for asset yield and supporting asset planning as it relates to the justification of new facilities. I was also responsible for any reporting, both to the Ontario Energy Board and stakeholders, arising out of the company's rate plans as it relates to cost of service.

- Managed the provision of necessary and sufficient data for sound planning by organizing accurate and timely cost analysis studies and reports tuned to the needs of Union Gas.
- Improved accuracy, completeness and operational usefulness of studies and reports by appropriate integrated computerized information systems.
- Accountable for working closely through a cross-functional team consisting of representatives from Asset Yield, Asset Planning, and Product and Pricing to develop a consistent understanding of costing data and its use to support Union Gas' strategic objectives.

EXPERIENCE / WORK HISTORY (cont'd)

November 2001 **Team Lead, Regulatory Research and Records**
- June 2002

Summary of Function: Reporting to the Manager, Regulatory Applications, I monitored regulatory proceedings at the Ontario Energy Board and other jurisdictions either in person or through review of transcripts and decisions. I evaluated the issues raised during the proceedings and communicated relevant issues to client departments. I was responsible for creating evidence and filing franchise renewal applications to the OEB. I also conducted specific research into regulatory issues and precedents and presented findings to client departments.

- Intervene on behalf of Union Gas in proceedings before the OEB and other jurisdictions and coordinate submissions if required.
- Provide an ongoing review of current regulatory issues throughout North America relating to natural gas and electricity regulation and assess the impacts to Union gas.
- Work directly with OEB staff to resolve any issues related to franchise proceedings.
- Coordinate with OEB staff, IT and client departments and Regulatory Affairs on the implementation of the OEB's electronic filing initiative within Union Gas.

Government of Yukon, Whitehorse, Yukon
Department of Economic Development

May 1997 **Utilities Analyst, Energy Unit, Corporate Policy Branch**
- November 2001

Summary of Function: This position serves as the Yukon Government's chief advisor on energy interests related to electricity system development, management and regulation. This includes analysis and advice to government on the development and management of Yukon's electricity system and to the roles of the energy industry stakeholders. This position recommends strategies, policies and positions and provides technical analysis of options.

- Provided timely and accurate responses for the Minister, Deputy Minister, Government Leader and Energy Commissioner on issues that arose.
- Assisted other staff within Government, in providing comments and input on their projects - including power supply to mining customers, draft rural electricity service policies, draft Energy Chapter of Agreement on Internal Trade, relicensing of Aishihik Lake generation facilities, electrical rate design in other jurisdictions, review of Yukon conservation strategy, electricity supply development potential, and northern economy development projects.
- Lead role in providing input to the Energy Commission on issues related to various comprehensive policy issues. Included writing papers, ministerial statements and letters, providing comments on other documents and developing support material for public consultations.
- Established as resource / information base for utility-related issues and regulations - keeping YEC abreast of current issues related to surplus hydro in BC, economic development initiatives, interconnection alternatives, and rate design in other jurisdictions.
- Responsibility for the financial management role in the Energy Unit - managing administrative functions by chairing team meetings on the allocation of Energy Unit budget resources and the establishment of budget requirements; monitoring budget expenditures and prepares periodic variance reports.

EXPERIENCE / WORK HISTORY (cont'd)

March 2000
- June 2001

Senior Oil and Gas Analyst, Oil and Gas Resources Branch (15-month secondment)

Summary of Function: Reporting to the Manager, Oil and Gas Resources Branch, this position plans, formulates, develops, and implements legislation, regulations and guidelines required for the management of Yukon's oil and gas resources; collaborates with First Nations on the joint development and ongoing support of Yukon's common oil and gas regime; monitors oil and gas sector developments; assesses a wide array of oil and gas issues, formulates government positions, and advises on appropriate courses of action; manages the establishment of economic and financial computer modeling capabilities; and participates in other government initiatives requiring oil and gas input and performs other related duties.

- Lead role in developing utility franchising process for Yukon and initiating process to establish a gas distribution utility in Whitehorse.
- Lead role in negotiating benefits agreements with Yukon First Nations and oil and gas companies as required for all oil and gas activity licenced under the Yukon's *Oil and Gas Act*. Lead role in negotiating contribution agreements and terms of reference for training and youth initiatives funds associated with benefits agreements.
- Branch representative on intergovernmental (Federal, Territorial, First Nations) oil and gas training working group tasked with developing a training strategy for the Yukon as well as the department working group dealing with development assessment legislation and developing Yukon government policy regarding public/private partnerships.
- Provide timely and accurate responses for the Minister, Deputy Minister and Premier on issues related to gas distribution utilities, benefits agreements, oil & gas training strategies, and oil & gas activities.

Trans Mountain Pipe Line Company Ltd. Vancouver, British Columbia

1994 – 1997

Manager, Regulatory Affairs, Regulatory Affairs Department

Summary of Function: Maximize the Company's earnings potential within the regulatory framework determined by the National Energy Board, BC Utilities Commission and the Federal Energy Regulatory Commission; perform financial analysis of planning and forecasting for jurisdictional and non-jurisdictional activities; coordinate preparation of TMPL's annual operating / capital budgets and quarterly updates; responsible for the overall preparation of toll / facilities applications to the Company's regulators and responses to related information requests.

- Supervised preparation of toll applications to NEB, BCUC, and FERC; conducted review meetings to gain management approval and ensure timely submissions; liaised with consultants; prepared rebuttals to filed objections.
- Coordinated and directed the physical compilation of regulatory submissions (toll applications, facilities applications) including the logistics and scheduling of same. Presented evidence and testimony on behalf of the Company at public hearings as required.
- Coordinated and monitored annual operating and capital budgets for the Company's Divisions; directed review process with Management Committee.
- Assumed prime contact role for shippers with respect to cost of service, toll design and regulatory issues; presented cost of service and regulatory updates at all shippers meetings.
- Represented the Company on rate regulation and accounting committees of industry task forces.

EXPERIENCE / WORK HISTORY (cont'd)

1992 - 1994 **Supervisor, Budgets & Rates**, Regulatory Affairs Department

Summary of Function: Responsible for the detailed preparation of toll and facilities applications to the National Energy Board and responses to related information requests. In addition, this position is responsible for coordinating the preparation of annual operating budgets totalling \$50 - \$60 million. This position also supervises financial analysis relating to Trans Mountain's Canadian pipeline operation.

Northwest Territories Power Corporation, Hay River, NWT

1989 – 1992 **Manager, Rates & Regulatory Affairs**, Finance and Administration Division

Summary of Function: To coordinate the development and implementation of cost of service studies, utility rate studies and impact analysis, to coordinate and direct the compilation of utility rate submissions to the Corporation's regulatory authorities as required from time to time, to present evidence and testimony on behalf of the Corporation related to the submissions at public hearings scheduled by the regulatory authorities, and to interpret the Corporation's Terms and Conditions of Service as required for application of policies.

Ontario Hydro, Toronto, Ontario

1989 – 1989 **Power Costing Analyst**, Finance Branch, Comptroller's Division
Financial Accounting Policy and External Reporting Department

Summary of Function: To research and conceptualize Corporate financial policy dealing with the preparation of power costing policies, the allocation of costs, and the setting of electricity rates.

1986 - 1989 **Analyst – Rate Economics**, Energy Management Branch
Market Services & Development Division, Rates Department

Summary of Function: To assess alternate rate practices and cost of service methodologies for electrical and thermal energy rates and to assist in the preparation of cost/benefit and other economic studies of rate-related issues.

North York Hydro, North York, Ontario

1981 – 1986 **Rates & Utilization Analyst**
Consumer Service Department

Summary of Function: Annually established retail rates and charges schedule to meet revenue requirement and rate setting guidelines; created submission documents for Ontario Hydro after discussions with Central Region office. Performed in-depth analysis of cost of service-based rates and costing structures as applied to North York Hydro by using various statistical modelling methods. Kept abreast of North York Hydro policies/regulations and Ontario Energy Board hearings; attended all relevant rate meetings with Ontario Hydro, AMEU/MEA, and Large Users.

REGULATORY APPEARANCES – As Witness

2003	Ontario Energy Board RP-2003-0063 – Union Gas Limited 2004 Rates Application On Behalf of Union Gas Limited
1998	Yukon Utilities Board Order 98-05 – Yukon Energy Corporation Rate Application On Behalf of Government of Yukon
1993	National Energy Board RH-3-93 – Trans Mountain Pipe Line Tolls for 1993 and 1994 On Behalf of Trans Mountain Pipe Line
1991	Northwest Territories Public Utilities Board 1991 Cost of Service Methodology review On Behalf of Northwest Territories Power Corporation
1990	Northwest Territories Public Utilities Board 1990 Northwest Territories Power Corporation General Rate Application On Behalf of Northwest Territories Power Corporation
1990	Northwest Territories Public Utilities Board 1990 Electrical Rate Structure Review On Behalf of Northwest Territories Power Corporation

REGULATORY CONSULTATIONS

2009-2010	Yukon Utilities Board Yukon Energy Corporation - Application for an Energy Project Certificate and an Energy Operation Certificate Regarding the Proposed Mayo Hydro Enhancement Project Client: Utilities Consumers' Group
2008-2009	Yukon Utilities Board Yukon Energy Corporation – 2008-2009 General Rates Application – Phase 1 Client: Utilities Consumers' Group
2006-2007	Yukon Utilities Board Yukon Energy Corporation - 20-Year Resource Plan 2006-2025 Client: Utilities Consumers' Group
2007	Yukon Utilities Board Yukon Energy Corporation – Carmacks Transmission Line - PPA Review Client: Utilities Consumers' Group
2007	Yukon Utilities Board Yukon Energy Corporation – Carmacks Transmission Line – Part 3 Review Client: Utilities Consumers' Group
2007-2008	Government of Yukon Energy Strategy Development Client: Utilities Consumers' Group
2008-2009	Yukon Utilities Board Yukon Energy Corporation - 2008-2009 General Rates Application – Phase 1 Client: Utilities Consumers' Group

EDUCATION

- 1988 **Canadian Institute of Management**, York University, North York, Ontario
➤ Graduate of four-year certificate / CIM designation program.
- 1985 **Seneca College**, North York, Ontario
➤ Graduate with certificate in *Applied Management Techniques*.
- 1981 **Lakehead University**, Thunder Bay, Ontario
➤ Graduate with Bachelor of Arts degree in *Economics and Mathematics*.

COMMUNITY SERVICE

- 2009 – Present Member - Chatham-Kent Hydro Board of Directors
Member – Chatham-Kent Energy Audit Committee
- 2009 Volunteer – Vancouver Olympic Torch Relay
- 2007, 2008, 2010 Ontario Business Women's Network
Event Coordinator and Lead Presenter
2007: Communication Exposed – Women Versus Men Styles
2008: Developing Your Emotional Energy
2010: Outer Realm – How Others Perceive You
- 2006, 2007 Chatham-Kent United Way
Amazing Race Biography and Site Clue Writer
- 2006 Candidate – Chatham-Kent Municipal Election
- 2004, 2005, 2006 Organizer, Annual Terry Fox Run for Cancer Research
Chatham, Ontario
- 1990-1992 Member of the Board of Management, H.H. Williams Memorial Hospital
Hay River, Northwest Territories

Michael R. Buonaguro Barrister and Solicitor

24 Humber Trail
Toronto, Ontario M6S 4C1

Ph: (416) 767-1666

Fax: (416) 767-1666

Utilities Consumers' Group

June 2, 2010

Attention:

File #: 05-266
Inv #: 213

RE: YEC APPLICATION FOR A ENERGY PROJECT CERTIFICATE
[PART 3 REVIEW]

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-26-10	Review draft IRs, emails to/from PM and UCG, finalize and file IRs.	2.00	450.00	MRB
Mar-10-10	Review comments on IRs from PM.	0.20	45.00	MRB
Mar-15-10	Review and file submissions re IRs.	0.60	135.00	MRB
	Review YCS evidence, email from PM.	0.50	112.50	MRB
Mar-19-10	Review reply comments, edit comments, send to client.	0.60	135.00	MRB
Mar-23-10	Review Board decision.	0.20	45.00	MRB
Mar-31-10	Preparation for hearing, reviewing application and IR responses, email to consultant and client.	3.50	787.50	MRB
	Preparation for hearing.	1.50	337.50	MRB
Apr-03-10	Review emails from client, consultant, preparation for hearing.	0.70	157.50	MRB

Apr-04-10	Review transcripts from Rate Proceeding, email to client, consultant.	1.00	225.00	MRB
Apr-05-10	preparation for hearing.	2.00	450.00	MRB
Apr-06-10	Attendance at hearing.	7.70	1,732.50	MRB
	Preparation for hearing.	0.80	180.00	MRB
Apr-07-10	Preparation for hearing.	2.00	450.00	MRB
	Preparation for hearing.	1.00	225.00	MRB
	Preparation for hearing.	0.50	112.50	MRB
	Attendance at hearing.	8.00	1,800.00	MRB
	Preparation for hearing-oral argument.	3.00	675.00	MRB
	Preparation for hearing.	0.50	112.50	MRB
	Attendance at hearing.	2.50	562.50	MRB
	Totals	38.80	<u>\$8,730.00</u>	
	Total GST on Fees		436.50	
	Total Fee & Disbursements			<u>\$9,166.50</u>
	Balance Now Due			<u>\$9,166.50</u>

TAX ID Number 830059879

Total GST \$436.50

Itinerary / Receipt

Your booking is confirmed. Thank you for choosing Air Canada.
Please print this itinerary / receipt for your reference.

Main Contact Information

Booking reference: **MYR8ZA**

Name: **Mr Michael Buonaguro**
E-mail: **MRB@MRB-LAW.COM**
Form of payment: **CC VXXXXXXXXXXXX0852**

Customer Care
Air Canada Reservations
1-888-247-2262
Air Canada Flight Information
1-888-422-7533

Electronic Ticketing confirmed.
This is your official itinerary/receipt.

[International Reservations](#)
Alert me of flight changes
[Flight notification](#)

Flight Itinerary

Flight	From	To	Aircraft	Booking class	Status
AC137	Toronto Pearson (YYZ)	Vancouver (YVR)	333	G	Confirmed
	Mon 05-Apr 2010 18:00 - TERMINAL T1	Mon 05-Apr 2010 19:53 - TERMINAL M -MAIN			
AC8449	Vancouver (YVR)	Whitehorse (YXY)	CRJ	N	Confirmed
<i>Operated by:</i>	Mon 05-Apr 2010	Tue 06-Apr 2010			
<i>Jazz</i>	22:30 - TERMINAL M -MAIN	00:56			
AC8446	Whitehorse (YXY)	Vancouver (YVR)	CRJ	P	Confirmed
<i>Operated by:</i>	Fri 09-Apr 2010	Fri 09-Apr 2010			
<i>Jazz</i>	16:10	18:24 - TERMINAL M -MAIN			
AC156	Vancouver (YVR)	Toronto Pearson (YYZ)	321	G	Confirmed
	Sun 11-Apr 2010 22:40 - TERMINAL M -MAIN	Mon 12-Apr 2010 06:05 - TERMINAL T1			

Passenger Information

Passenger 1
 Name: Mr Michael Buonaguro Ticket number: 014 2180 928591
 Frequent Flyer Pgm: Program number:

Fare Summary

Passenger: 1 Ticket number 014 2180 928591

Date of issue	10-Mar 2010
Fare Amount in Canadian dollars:	1,306.00
<i>(including Navcan & Surcharges)</i>	
Taxes & Fees	
Canada Security Charge (CA)	9.33
Canada Goods and Services Tax (GST/HST #10009-2287) (XG)	67.77
Canada Airport Improvement Fee (SQ)	40.00
 Total Fare in Canadian dollars:	 1,423.10
Ticket particularities:	
AC ONLY/NON-REF/CHGE FEE	
NON-REFUNDABLE	

** Fare calculation:*

05APR10YTO AC YVR Q23.00R299.00AC YXY Q18.00R431.00AC YVR
 Q18.00R175.00AC YTO Q23.00R319.00CAD1306.00 END ROE1.00

Canadian tax registration numbers:

XG Canada Goods and Service Tax (GST) #10009-2287
 RC Canada Harmonized Sales Tax (HST) #10009-2287
 XQ Quebec Sales Tax (QST) #1000-043-172

Fare Rules

- Voluntary changes to your itinerary may require the payment of additional fees and fare upgrades.
- If you are travelling on a non-refundable ticket, Air Canada will be unable to make exceptions in the event of an unexpected trip cancellation or medical emergency. We recommend the purchase of travel insurance.
- Tickets are non transferable and name changes are not permitted.
- Advance seat assignments are not guaranteed and may be changed without notice. If your pre-assigned seat is unavailable, we will try to accommodate you in a comparable seat in the same class of service and will refund any applicable refundable fees.
- Fee for checked bags will apply on flights operated by United Airlines and Continental for travel within North America.

Important Information

This is your E-ticket itinerary/receipt. Keep this document for your travel. Your flight coupons are stored in our reservation system. The Conditions of Contract and other legal notices are provided with this itinerary/receipt.

Please review this itinerary/receipt and should you have any questions, please call 1-888-247-2262 within 24 hours of receipt.

Travel Documents

Air Canada is required by federal government regulations to check identification at the departure gate for all passengers who appear to be 18 years of age or older. The name on the identification must match the name used on the reservation or ticket. The passenger must present: one (1) piece of government-issued ID with photo or two (2) pieces of government-issued ID without photo. For air travel between Canada and the United States, all passengers including Canadian and U.S. citizens, are required to present a valid passport or other valid travel document such as a Nexus card. Nexus members are required to carry appropriate immigration and identity documents in addition to their Nexus card. In addition, passengers must present this Itinerary/receipt to immigration authorities upon request. For air travel to a foreign country, passengers must ensure that they have all necessary travel



Yukon Inn
 4220 4th Avenue
 Whitehorse, YT Y1A 1K1
 Phone: 1-867-667-2527 FAX: 1-867-668-7643
 reservations@yukoninn.com

GST# R895450336

Michael Buonaguro
 24 Humber Trail
 Toronto, ON M6S 4C1
 Canada

Room	Folio	CheckIn	CheckOut	Balance
241	130453	04-05-10	04-09-10	0.00
Master Folio			Govt	

Date	Room	Description / Voucher	Charges	Credits	Balance
04-05-10	241	Room Taxable	109.00	0.00	109.00
04-05-10	241	GST - 5.000%	5.45	0.00	114.45
04-06-10	241	Long Distance - 416-769-2465 (0015) 241	10.86	0.00	125.31
04-06-10	241	GST - 5.000%	0.54	0.00	125.85
04-06-10	241	Room Taxable	109.00	0.00	234.85
04-06-10	241	GST - 5.000%	5.45	0.00	240.30
04-07-10	241	Long Distance - 416-769-2465 (0009) 241	5.37	0.00	245.67
04-07-10	241	GST - 5.000%	0.27	0.00	245.94
04-07-10	241	Room Taxable	109.00	0.00	354.94
04-07-10	241	GST - 5.000%	5.45	0.00	360.39
04-08-10	241	Room Taxable	109.00	0.00	469.39
04-08-10	241	GST - 5.000%	5.45	0.00	474.84
04-09-10	241	Visa - ...0852 AP: 031640	0.00	474.84	0.00
		Balance Due			0.00
		Summary and Taxes			
		Taxable Sales			452.23
					22.61

le
 A 1K1
 57-668-764
 -- miv CJ

Transaction type:
 purchase
 Reference Number:
 1000130453
 Type:
 VISA
 Account Number:
 XXXXXXXXXXXX0852
 Expiration:
 XX/XX
 Amount:
 474.84

CUSTOMER COPY



The Law Society of
Upper Canada

Barreau
du Haut-Canada

The Law Society of Upper Canada

Osgoode Hall, 130 Queen Street West,
Toronto, Ontario, M5H 2N6
Tel: 416-947-3315
Toll Free: 1-800-668-7380 ext 3315
Fax: 416-947-5235
Web: <http://ecom.lsuc.on.ca>

e-Transactions

Your Account Number	Order Number	Order Date
45898J	201003-23584441	Mar 12, 2010 @ 5:27:07 PM

Quantity	Item	Item Cost	Subtotal
1	Certificate of Standing	\$50.00	\$50.00
		Subtotal	\$50.00
		GST	\$2.50
		Grand Total	\$52.50

	Payment Method: Credit Card
Card	Visa Expiry 04/2011
Card Number	*****2676
Name on Card	Michael Buonaguro
Order Notes	

	Ship To Information
Ship To Company	
Ship To Department	
Ship To Name	Michael Buonaguro
Ship To Address	24 Humber Trail
Ship To Address Line 2	
Ship To City	Toronto
Ship To Prov/State	Ontario
Ship To Postal/Zip	M6S4C1
Ship To Country	Canada
	Bill To Information
Bill To Company	
Bill To Department	
Bill To Name	MICHAELE RAFFAELE BUONAGURO
Bill To Address	24 HUMBER TRL



Customer Receipt Reçu du client

MD 031 468 283 CA

Date 20 10 03 2010

Item No.: N° de l'article :

From Expéditeur: Michael Brumagno
 Name Nom: 24 Humbert Trail
 Address Adresse: Toronto Ontario
 City Ville: Toronto Ontario
 Telephone No. N° du téléphone: 416 767 1888
 Province Postal Code Code postal: ON M8S 4R2

Sender warrants no dangerous goods enclosed and agrees to terms and conditions on reverse. Details in Canada Postal Guide, www.canadapost.ca
 L'expéditeur garantit que cet envoi ne contient pas de matières dangereuses et accepte les conditions indiquées au verso. D'autres renseignements sont fournis dans le Guide des postes du Canada, www.postescanada.ca

To Destinataire: Law Society of Yukon
 Name Nom: Shannon Kmyth
 Address Adresse: #202 302 Steele Street

Whitehorse Yukon
 Country Pays: CANADA
 No. (CA) Code postal: Y1A 2C5

33-086-673 (08-01)

BLOOR WEST VILLAGE
 POSTAL
 2336 BLOOR ST W
 TORONTO ON

CARD 4519028589*****
 ACCOUNT TYPE CHEQUING
 DATE 2010/03/26
 TIME 1437 15:10:40
 RECEIPT NUMBER
 S34515514-001-092-011-0

PURCHASE
 TOTAL

\$32.33

APPROVED

AUTH# 003941 00-001
 THANK YOU

CARDHOLDER COPY

Law Society of Yukon

Suite 202 302 Steele Street
Whitehorse, Yukon Y1A 2C5

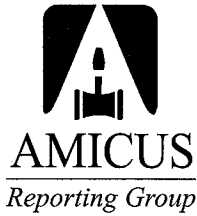
Receipt

DATE: March 31, 2010

TO: Michael Buonaguro
Barrister & Solicitor
24 Humber Trail
Toronto, Ontario M6S 4C1

RE: Certificate of Permission to Act in the Yukon

Description		Total
Application Fee		\$300.00
Certificate Fee		\$350.00
Special Fund Fee		\$100.00
	SUB-TOTAL	\$750.00
	GST	\$37.50
	TOTAL PAID	\$787.50



Invoice No.:

20101059

Date: 04/28/2010

Page: 1

A Division of Discovery Incorporated
 Suite 220, 700 - 4th Avenue SW, Calgary, Alberta T2P 3J4
 Telephone: (403) 266-1744 • Fax: (403) 266-2584
 e-mail: info@amicusreporting.com

To: M. Buonaguro
Public Interest Advocacy Centre
 1102 - 34 King Street East
 Toronto, ON
 M5C 2X8

Reporting Services Rendered:
 Hearing
 Held April 6-8, 2010
 Mayo Hydro Enhancement Project
 (MAYO B)

Pages/ Hours	Description	Tax	Unit Price	Amount
544	Expedited Daily Copy Rate: Transcript of Proceedings of above-referenced matter (emailed in pdf daily)		3.55	1,931.20
	Complimentary Services: 4-to-a-page client copy of all transcripts ordered Electronic version(when ordered with transcript)			

Terms: Net 30 Days 1.5% (18% per annum) charged on overdue accounts				
Thank you for your continued patronage!!!				
			Total Amount	1,931.20

Client Note: Shorthand notes of unordered cases will be kept for 5 years before being destroyed.
 Shorthand notes of ordered cases will be kept for 2 years before being destroyed.

GST No: 12692 2236
 US Business Code No: 531110

LAW SOCIETY OF YUKON

Suite 202-302 Steele Street
Whitehorse, Yukon
Y1A 2C5

Phone: (867) 668-4231
Fax: (867) 667-7556
Email: info@lawsocietyyukon.com

VIA EMAIL & MAIL

April 1, 2010

Mr. Michael R. Buonaguro
Barrister & Solicitor
24 Humber Trail
Toronto, Ontario
M6S 4C1

Dear Mr. Buonaguro:

RE: Certificate of Permission to Act in Yukon

By motion of the Executive passed April 1, 2010, your application for a Certificate of Permission to Act in matter of Yukon Energy Corporation Application for an Energy Project Certificate and an Energy Operation Certificate regarding the proposed Mayo Hydro Enhancement Project (Mayo B), has been approved. As such, please find enclosed a copy of your Certificate of Permission to Act. You may now commence acting on this matter.

Your Certificate of Permission to Act may be renewed annually by application to the Society prior to the expiry of the Certificate. An application for renewal shall be made to the Society not less than 20 days prior to the expiry of the Certificate and shall include the following items:

- a) payment of the renewal fee set out in the Rules;
- b) payment of the Special Fund levy, if applicable; and
- c) a completed Form 41.

You are required to advise our office when the matter for which you have been issued this Certificate of Permission to Act in the Yukon has been completed. If no notice is received prior to the anniversary date of the issuance of the Certificate, your permission to act will be cancelled.

Sincerely,

LAW SOCIETY OF YUKON


Lynn Daffe
Executive Director

Enclosure

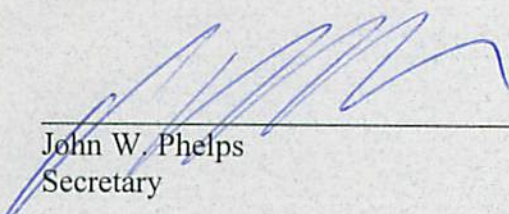
THE LAW SOCIETY OF YUKON

CERTIFICATE OF PERMISSION TO ACT

I, John Phelps, hereby certify that ***Michael R. Buonaguro*** of Toronto, in the Province of Ontario, as of the 1st day of April, 2010, has successfully completed each of the requirements and conditions for the said Michael R. Buonaguro to act as a Barrister and Solicitor in Yukon pursuant to s.20(7) of the *Legal Profession Act* in the matter of Yukon Energy Corporation Application for an Energy Project Certificate and an Energy Operation Certificate regarding the proposed Mayo Hydro Enhancement Project (Mayo B). Mr. Buonaguro is acting for Utilities Consumers Group.

DATED this 1st day of April, 2010.





John W. Phelps
Secretary

DATE ISSUED: April 1, 2010
EXPIRY DATE: April 1, 2011

cc: Court Registry
Supreme Court Judges' Chambers