



## Jay Shepherd

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### **BY EMAIL and RESS**

May 28, 2014  
Our File No. 20130115

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

### **Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

### **Re: EB-2013-0115 – Burlington 2014 Rates – SEC Cost Claim**

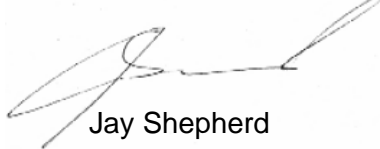
We are counsel for the School Energy Coalition. We enclose the cost claim of the School Energy Coalition, on the Board's form and enclosing docket details.

We apologize for filing late. This, as well as two other cost claims, were delayed because we allowed ourselves to get too focused on the OPG ADR, to the detriment of important procedural steps such as this one.

We note that Mark Rubenstein of our office took the lead in this matter. The limited time spent by the undersigned on supervision and client reporting has not been claimed.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**



Jay Shepherd

cc: Wayne McNally, SEC (email)  
Interested Parties

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



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required fields are filled in and the Affidavit portion is signed and sworn or affirmed.

**Instructions**

- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each consultant or lawyer/articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- **Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

<b>File # EB-</b>	<b>2013-0115</b>	<b>Process:</b>	<b>Burlington 2014 Rates</b>
<b>Party:</b>	<b>School Energy Coalition</b>	<b>Affiant's Name:</b>	<b>Jay Shepherd</b>
<b>HST Number:</b>	_____	<b>HST Rate Ontario:</b>	_____
	Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit	<input type="checkbox"/>
	Unregistered <input type="checkbox"/>	Tax Exempt	<input type="checkbox"/>
	Other <input type="checkbox"/>		

**Affidavit**

I, **Jay Shepherd**, of the City/Town of **Toronto**  
in the Province/State of **Ontario**, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

**Signature of Affiant**

**Sworn or affirmed before me** at the City/Town of **Toronto**,  
in the Province/State of **Ontario**, on **May-28-14**.  
(date)

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



**Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits**

**File # EB-** 2013-0115 **Process:** Burlington 2014 Rates

**Party:** School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$14,093.00
Disbursements	\$0.00
HST	\$0.00
<b>Total Cost Claim</b>	<b>\$14,093.00</b>

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

<b>File #</b> EB- <b>2013-0115</b>	<b>Process:</b> Burlington 2014 Rates
<b>Party:</b> School Energy Coalition	<b>Name:</b> Mark Rubenstein
<b>Counsel/Articling Student/Paralegal:</b> <input checked="" type="checkbox"/>	<b>Completed Years Practising/Years of relevant experience</b>
<b>Consultant:</b> <input type="checkbox"/>	2
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input checked="" type="checkbox"/>

**Statement of Fees Being Claimed**

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	61.30	\$170.00	\$10,421.00	\$0.00	\$10,421.00
Attendance - Technical Conference		\$170.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	21.60	\$170.00	\$3,672.00	\$0.00	\$3,672.00
Attendance - Oral Hearing		\$170.00	\$0.00	\$0.00	\$0.00
Argument		\$170.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$14,093.00	\$0.00	\$14,093.00

**Statement of Disbursements Being Claimed**

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		included	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>		\$0.00	\$0.00

Date	Explanation	Lwyr	Mark Rubenstein					Total
			Prep	Tech	ADR	Hearing	Arg	
20131025	preliminary review of application	MR	2.0					2.0
20131119	review legal application/draft and file Nol	MR	0.5					0.5
20131121	review app	MR	1.3					1.3
20131122	review application	MR	2.5					2.5
20131217	review PO	MR	0.2					0.2
20140110	review evidence/draft, edit and file issues list comments	MR	2.3					2.3
20140113	review issues list sub/emails	MR	0.3					0.3
20140120	emails	MR	0.2					0.2
20140121	review PO	MR	0.2					0.2
20140130	emails	MR	0.1					0.1
20140131	review evidence	MR	2.0					2.0
20140203	review material and draft IRs	MR	4.8					4.8
20140204	review material and draft IRs	MR	3.6					3.6
20140205	review material and draft IRs	MR	3.3					3.3
20140206	review materials and models/draft IRs/draft cover Ltr/finalize, edit and file IRs/emails/review other parties IRs	MR	2.0					2.0
20140228	preliminary review of IRR	MR	1.5					1.5
20140305	review IRR/emails re: clarification	MR	2.0					2.0
20140307	emails	MR	0.1					0.1
20140310	emails/research/draft Notice of Motion	MR	3.0					3.0
20140311	research/review Burlington response to clarification questions/draft and edit motion material	MR	2.6					2.6
20140312	review PO/emails/discussions w. M. Helt	MR	0.6					0.6
20140313	p. call w. McQuat	MR	0.1					0.1
20140314	review IRR/review Staff sub/emails/review models	MR	2.7					2.7
20140316	review IRR	MR	2.6					2.6
20140317	prepare for set conference/review IRR/review BHI sub/draft reply sub	MR	4.5					4.5
20140318	draft, edit and finalize reply submissions/emails/review BHI clarifying question responses/prepare for settlement conference	MR	7.5					7.5
20140319	attend settlement confrence/prepare for day 2	MR	2.5		7.0			9.5
20140320	prepare and attend settlement conference	MR	0.0		6.5			6.5
20140401	draft submissions on confidentiality and withdrawl request/p. call w M. McQuat/disc w JCS	MR	4.5					4.5
20140403	edit, finalize and file submissions/emails/review staff sub	MR	1.0					1.0
20140407	emails/review settlement agreement/p. call w K. Farmer	MR	0.0		0.6			0.6
20140410	emails/file unredacted vopy of sub/review Burlington confidentiality sub	MR	0.5					0.5
20140417	preliminary review of draft settlement agreement	MR	0.0		0.5			0.5
20140421	review EP comments/make edits and comments on settlement agreement/emails	MR	0.0		3.0			3.0
20140422	emails	MR	0.0		0.1			0.1
20140423	emails	MR	0.0		0.1			0.1
20140424	emails	MR	0.0		0.1			0.1
20140425	review and edit second draft/multiple p. calls w. R. Aiken, K. Farmer, M. Janigan, McQuat/emails	MR	0.0		2.7			2.7
20140426	final review of set agreement and signoff/emails	MR	0.0		0.4			0.4
20140501	emails	MR	0.0		0.1			0.1
20140507	review revised agreement/emails/review Staff sub	MR	0.0		0.5			0.5
20140515	emails/review decision	MR	0.3					0.3
			61.3	0	21.6	0	0	82.9