



Jay Shepherd

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BY EMAIL and RESS

October 5, 2015
Our File No. 20140370

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

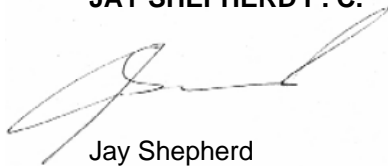
Re: EB-2014-0370 – OPG 2015 Deferrals – SEC Cost Claim

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.

In this proceeding, senior counsel Jay Shepherd had the lead, and participated actively in the pre-hearing processes, including in particular the ADR and argument on unsettled issues. Counsel Mark Rubenstein had a more limited role, assisting with research and document/drafting review.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.



Jay Shepherd

cc: Wayne McNally, SEC (email)
Interested Parties

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**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

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

Instructions

- Required data input is indicated by yellow-shaded fields. Formulas are embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.

Rate: _____ Country: _____

- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each lawyer, analyst/consultant and articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB-	2014-0370	Process:	OPG Deferral/Variance Accounts
Party:	School Energy Coalition	Affiant's Name:	Jay Shepherd
HST Number:	83673-5464-RT0001	HST Rate Ontario:	13.00%
	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 **October-06-15**.
(date)

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0370 Process: **OPG Deferral/Variance Accounts**

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	32,686.00
Disbursements	\$	-
HST	\$	4,249.18
Total Cost Claim	\$	36,935.18

Payment Information

Make cheque payable to: **Jay Shepherd Professional Corporation, in trust**

Send payment to this address: **2300 Yonge Street**
Suite 806
Toronto, Ontario
M4P1E4

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



Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2014-0370</u>	Process: <u>OPG Deferral/Variance Accounts</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
<p>SERVICE PROVIDER TYPE (check one)</p> <p> <input checked="" type="checkbox"/> Legal Counsel <input type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst </p>	
Year Called to Bar	Completed Years Practising/Years of Relevant Experience
<input type="text" value="1980"/>	<input type="text" value="35"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached	Hourly Rate: <input type="text" value="\$330"/>
<input type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): <input type="text" value="13.0%"/>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	10.0	\$ 330.00	\$ 3,300.00	\$ 429.00	\$ 3,729.00
Responses	4.6	\$ 330.00	\$ 1,518.00	\$ 197.34	\$ 1,715.34
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	15.8	\$ 330.00	\$ 5,214.00	\$ 677.82	\$ 5,891.82
Attendance	12.8	\$ 330.00	\$ 4,224.00	\$ 549.12	\$ 4,773.12
Proposal Preparation	26.2	\$ 330.00	\$ 8,646.00	\$ 1,123.98	\$ 9,769.98
Argument					
Preparation	24.6	\$ 330.00	\$ 8,118.00	\$ 1,055.34	\$ 9,173.34
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 31,020.00	\$ 4,032.60	\$ 35,052.60

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0370

Process: OPG Deferral/Variance Accounts

Party: School Energy Coalition

Service Provider Name: Jay Shepherd

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

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2014-0370</u>	Process: <u>OPG Deferral/Variance Accounts</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
<p>SERVICE PROVIDER TYPE (check one)</p> <p> <input checked="" type="checkbox"/> Legal Counsel <input type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst </p>	
Year Called to Bar	Completed Years Practising/Years of Relevant Experience
<u>2011</u>	<u>4</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached	Hourly Rate: <u>\$170</u>
<input type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): <u>13.0%</u>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	5.1	\$ 170.00	\$ 867.00	\$ 112.71	\$ 979.71
Responses		\$ 170.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	1.9	\$ 170.00	\$ 323.00	\$ 41.99	\$ 364.99
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
Argument					
Preparation	2.8	\$ 170.00	\$ 476.00	\$ 61.88	\$ 537.88
Oral Hearing					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 1,666.00	\$ 216.58	\$ 1,882.58

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0370

Process: OPG Deferral/Variance Accounts

Party: School Energy Coalition

Service Provider Name: Mark Rubenstein

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

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



Date	Explanation	Lwyr	MR	JCS
20141217	Meeting with Mark Rubenstein	JCS		0.3
20141218	review application	MR	1.0	
20141222	Review report, initial review of application	JCS		1.0
20141223	discuss with JCS	MR	0.3	
20141227	Review application	JCS		3.5
20150116	emails/review Notice and application	MR	1.8	
20150218	draft and file Nol	MR	0.4	
20150218	Meeting with Mark Rubenstein, many emails	JCS		0.1
20150220	emails/review updated evidence	MR	0.5	
20150223	review PO	MR	0.2	
20150223	Review PO#1 and scheduling, review new material	JCS		0.3
20150306	review IRs/emails	MR	0.3	
20150307	Review evidence	JCS		1.0
20150312	Review AMPCO IRs, review evidence	JCS		0.5
20150313	emails/p. call w J. Girvan/disc w JCS/review IRs/review PO	MR	0.5	
20150313	Review interrogatories of other parties, many emails, review evidence, review PO#2	JCS		1.3
20150318	emails	MR	0.1	
20150327	Review IR responses, various emails	JCS		1.1
20150402	Review PO#3	JCS		0.2
20150404	Impact analysis and report	JCS		0.7
20150406	Review IR responses, issues for ADR	JCS		3.1
20150407	emails	MR	0.1	
20150408	emails	MR	0.1	
20150408	Review, many emails	JCS		0.4
20150409	emails	MR	0.1	
20150409	Many emails	JCS		0.2
20150410	emails	MR	0.1	
20150410	Many emails, scheduling	JCS		0.2
20150413	Review issues list	JCS		0.1
20150414	emails	MR	0.1	
20150414	Review settlement participation document, many emails	JCS		0.4
20150415	Client reporting	JCS		0.2
20150417	emails	MR	0.1	
20150417	Many emails	JCS		0.3
20150419	Prepare for negotiations	JCS		1.7
20150420	emails re: hydroelectric variance account/disc w JCS	MR	0.5	
20150420	Attend at negotiation, many emails	JCS		5.4
20150421	emails	MR	0.2	
20150421	Research, capacity refurbishment analysis, many emails	JCS		2.4
20150422	review email response to legal position	MR	0.2	
20150422	Meeting with Intervenors re offer, many emails, analysis	JCS		1.3
20150423	Many emails	JCS		1.9
20150424	emails	MR	0.1	
20150424	Attend for negotiations (by telephone), many emails	JCS		6.5
20150425	Review notes	JCS		1.0

20150426	Many emails, review points of understanding	JCS		0.4
20150430	Many emails	JCS		0.2
20150501	Many emails, review PO#4	JCS		0.3
20150504	Many emails, review edits	JCS		0.4
20150506	Analysis of problems, many emails	JCS		2.1
20150507	Many emails, telephone call with Alex and Dany	JCS		1.6
20150511	Many emails, initial review	JCS		1.0
20150514	Many emails	JCS		0.2
20150515	Review new package of materials, replicate calculations	JCS		1.6
20150519	Review draft and appendices, many emails, review ADR notes	JCS		2.9
20150520	Detailed mark up, many emails, revise staff edits	JCS		3.7
20150521	Many emails, telephone call with Andrew and Dany, analysis of wording	JCS		1.1
20150522	Many emails, review agreement	JCS		1.3
20150524	Review accounts for baseline differences	JCS		0.8
20150525	disc w JCS re: settlement issues	MR	0.3	
20150525	Many emails, review new material, telephone call with Dany and Andrew, review problem with calculations, meeting with Mark Rubenstein,	JCS		3.6
20150526	Conference call, many emails	JCS		1.1
20150527	Review PO#6, many emails	JCS		0.1
20150529	Analysis of o/s issue and report	JCS		1.0
20150602	Many emails	JCS		0.2
20150603	Many emails	JCS		0.2
20150604	Intervention conference call, many emails, meeting with Mark Rubenstein, draft and circulate response, analysis of issues	JCS		2.7
20150605	Many emails, send intervention response	JCS		0.4
20150608	Many emails	JCS		0.3
20150609	Many emails	JCS		0.3
20150610	Review new materials, review PO#7	JCS		0.3
20150611	Many emails	JCS		0.4
20150612	Review revised draft, attempt edits, provide comments, many emails	JCS		2.1
20150613	Many emails	JCS		0.2
20150614	Various emails	JCS		0.1
20150615	Many emails, review and edit final draft, Client impact model	JCS		1.6
20150616	Client report and impact analysis, many emails	JCS		1.7
20150618	Review staff submissions on settlement, various emails, review agreement	JCS		0.4
20150623	review decision	MR	0.1	
20150623	Review PO#8 and scheduling	JCS		0.3
20150630	review argument-in-chief	MR	0.5	
20150701	Many emails, review argument in chief	JCS		2.5
20150702	Many emails	JCS		0.2
20150703	Points for final argument, many emails, intervenor conference call	JCS		2.1
20150705	Outline of final argument, review notes	JCS		1.2
20150706	Draft final argument, many emails	JCS		5.7
20150707	review SEC draft argument	MR	1.0	

20150707	Draft argument, many emails, circulate draft	JCS		6.5
20150708	review other parties submissions	MR	0.5	
20150708	Revise and file argument, review arguments from others, many emails	JCS		3.6
20150709	Review remaining, submissions	JCS		0.6
20150715	review OPG reply arg	MR	0.4	
20150715	Review reply argument and attachments	JCS		1.1
20150910	emails/review decision	MR	0.3	
20150918	Review DRO	JCS		0.8
			9.8	94.0