



BY EMAIL and RESS

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April 16, 2018
Our File No. 20160152

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2016-0152 – OPG 2017-21 Rates – SEC Second Cost Claim

We are counsel for the School Energy Coalition. We enclose the cost claim of the School Energy Coalition for the period May 30 to April 12, on the Board's form and enclosing docket details.

This claim is for the period after the filing of SEC's final argument. Aside from smaller matters (like checking transcript corrections, etc.), it is primarily made up of submissions on confidentiality, and a very detailed review of the draft Payment Amounts Order.

Because this all came during and after the argument phase, the time has been categorized as Argument on the Board's form. There is no category for the rate order process.

The work was primarily carried out by senior counsel Jay Shepherd, including in particular a comprehensive review of the draft PAO and smoothing options, and submissions on both filed in January, 2018. Related to that is the client reporting of impacts and PAO issues, necessary due to the approach taken by OPG to the PAO process, the complicated nature of the impacts, and the large impact on schools in Ontario. The work of Mark Rubenstein included the confidentiality issues, and also assistance and support on the PAO submissions.



Two appearances by both counsel, before the Board of Directors of the client in November, and then at the annual meeting of the client in April, both of which had substantial focus on the OPG results, have not been included in the docketed time.

All of which is respectfully submitted.

Yours very truly,

SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION

A handwritten signature in black ink, appearing to read "Jay Shepherd", written over a light blue horizontal line.

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 (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-	2016-0152	Process:	OPG 2017-21 Rates (May 30 - April 12)
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 **April 18, 2018**.
(date)

Commissioner for taking Affidavits

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

File # EB- 2016-0152 Process: OPG 2017-21 Rates (May 30 - April 12)

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	21,327.00
Disbursements	\$	-
HST	\$	2,772.51
Total Cost Claim	\$	24,099.51

Payment Information

Make cheque payable to: Shepherd Rubenstein Professional Corporation, in trust

Send payment to this address: 2200 Yonge Street
Suite 1302
Toronto, Ontario
M4S2C6

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2016-0152</u>	Process: <u>OPG 2017-21 Rates (May 30 - April 12)</u>	
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>	
SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1980"/>	<input type="text" value="38"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
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		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	54.8	\$ 330.00	\$ 18,084.00	\$ 2,350.92	\$ 20,434.92
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 18,084.00	\$ 2,350.92	\$ 20,434.92

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2016-0152

Process: OPG 2017-21 Rates (May 30 - April 12)

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

File # EB- <u>2016-0152</u>	Process: <u>OPG 2017-21 Rates (May 30 - April 12)</u>	
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>	
SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<input type="checkbox"/> 2011	<input type="checkbox"/> 6
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <input type="text" value="\$230"/>
<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		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Responses		\$ 230.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation	14.1	\$ 230.00	\$ 3,243.00	\$ 421.59	\$ 3,664.59
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 3,243.00	\$ 421.59	\$ 3,664.59

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2016-0152

Process: OPG 2017-21 Rates (May 30 - April 12)

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:			
	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	MR	JCS
20170530	Complete review of arguments	JCS		0.6
20170530	review other parties arguments	MR	1.1	
20170531	Many emails, Review filed copies, Meet with Mark, Reporting	JCS		0.7
20170531	instructions to SP re: delivering hard copies to Bd/emails	MR	0.2	
20170601	Review transcript corrections	JCS		0.2
20170602	Review CME letter	JCS		0.2
20170602	emails/review CME letter	MR	0.1	
20170606	Review revised transcripts	JCS		0.4
20170606	emails re: transcript changes	MR	0.1	
20170619	Review reply submissions, Meet with Mark, Various emails, Review responses to letters of comment	JCS		3.0
20170619	p. call from SZ (OPG), review reply argument	MR	3.5	
20170622	prepare cover letter and file/emails	MR	1.5	
20170705	p. call from VB re: confidential sub	MR	0.2	
20170711	Review PO #9 and scheduling	JCS		0.3
20170712	Review decision on confidentiality	JCS		0.1
20170713	Review Board letter	JCS		0.1
20170717	review PO and review Bd letter re: confidential sub	MR	0.1	
20170810	emails	MR	0.1	
20170815	disc w JCS	MR	0.4	
20171101	Call with Violet Binette, Meet with Mark, Client report	JCS		0.3
20171110	Update report to client, Many emails	JCS		1.0
20171222	review lockup letter/emails	MR	0.2	
20171228	Review decision	JCS		4.2
20171228	review decision	MR	2.5	
20171229	emails re: decision	MR	0.1	
20180102	disc w JCS	MR	0.3	
20180104	Detailed impact analysis and client report, Meet with Mark	JCS		6.0
20180105	Review report and summarize, New calculations, Meet with Mark	JCS		2.6
20180117	prelim review of DRO and MtoR	MR	1.2	
20180118	Commence review of DRO package, Impact calculations	JCS		3.0
20180123	Review DRO package	JCS		8.8
20180124	Review DRO package, Draft submissions	JCS		8.9
20180124	review JCS submissions on DAO and provide comments	MR	1.2	
20180125	Revise and file submissions on DRO, Many emails	JCS		2.7
20180125	review SEC sub	MR	0.5	
20180126	Many emails	JCS		0.2
20180127	Review submissions of others, Many emails	JCS		0.7
20180206	Review revised DRO and response to comments	JCS		2.2
20180312	emails/review Payment Amount Decision	MR	0.4	
20180312	Review DRO decision, Scheduling	JCS		1.1
20180312	emails/review Payment Amount Decision	MR	0.4	
20180319	Review material from Sustainability Journal	JCS		1.1
20180320	Review revised PAO	JCS		2.0
20180321	Review revised PAO, Draft, revise and file comments, Review staff comments, Various emails	JCS		3.8
20180323	Review further revised DRO	JCS		0.3
20180329	Review final payment amounts order	JCS		0.3
			14.1	54.8

3243 18084
3243
21327
2772.51
24099.51