



BY EMAIL and RESS

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March 4, 2019
Our File No. 20180243

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2018-0243 – OPG DVA Clearances – 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.

This case included extensive interrogatories, a technical conference, and an ADR with a full settlement. While SEC did all the normal work to develop interrogatories, it also checked the interrogatories of others first, and determined that no incremental IRs were required from SEC. SEC was active at the technical conference, and at the ADR. Counsel Jay Shepherd took the lead for SEC, and time spent by co-counsel Mark Rubenstein assisting in the matter has not been claimed.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.

A handwritten signature in black ink, appearing to read "Jay Shepherd", is written over a light grey rectangular background.

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-	2018-0243	Process:	OPG Deferral and Variance Accounts
Party:	School Energy Coalition	Affiant's Name:	Mark Rubenstein
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, **Mark Rubenstein**, 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 **March 5, 2019**.
(date)

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



Commissioner for taking Affidavits

File # EB- 2018-0243 Process: OPG Deferral and Variance Accounts

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	24,057.00
Disbursements	\$	-
HST	\$	3,127.41
Total Cost Claim	\$	27,184.41

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
Affidavit and Summary of Fees and Disbursements



Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2018-0243</u>	Process: <u>OPG Deferral and Variance Accounts</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
SERVICE PROVIDER TYPE (check one)	
<input checked="" type="checkbox"/> Legal Counsel <input type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst	Year Called to Bar <div style="border: 1px solid black; padding: 2px; display: inline-block;">1980</div>
Completed Years Practising/Years of Relevant Experience <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 150px; text-align: center;">38</div>	
Hourly Rate: <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$330</div>	
HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px; display: inline-block;">13.0%</div>	
For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	14.7	\$ 330.00	\$ 4,851.00	\$ 630.63	\$ 5,481.63
Attendance	2.0	\$ 330.00	\$ 660.00	\$ 85.80	\$ 745.80
Interrogatories					
Preparation	17.0	\$ 330.00	\$ 5,610.00	\$ 729.30	\$ 6,339.30
Responses	4.0	\$ 330.00	\$ 1,320.00	\$ 171.60	\$ 1,491.60
Issues Conference					
Preparation	9.3	\$ 330.00	\$ 3,069.00	\$ 398.97	\$ 3,467.97
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	11.0	\$ 330.00	\$ 3,630.00	\$ 471.90	\$ 4,101.90
Attendance	8.5	\$ 330.00	\$ 2,805.00	\$ 364.65	\$ 3,169.65
Proposal Preparation	6.4	\$ 330.00	\$ 2,112.00	\$ 274.56	\$ 2,386.56
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 24,057.00	\$ 3,127.41	\$ 27,184.41

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2018-0243

Process: OPG Deferral and 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



Date	Explanation	Lwyr	Hours
20180914	Review application, Notice of Intervention, Meet with Mark	JCS	1.4
20181014	Review evidence	JCS	1.0
20181016	Review PO #1 and scheduling	JCS	0.3
20181025	Review evidence	JCS	3.6
20181026	Review Staff interrogatories, Review evidence	JCS	1.6
20181027	Review evidence	JCS	2.7
20181029	Review evidence	JCS	1.5
20181031	Review interrogatories from others and checklist	JCS	1.1
20181101	Continue review of evidence, Review interrogatories of others and cross-reference to issues in review	JCS	3.0
20181109	Many emails, Review OPG letter, Review TC issues	JCS	0.8
20181113	Various emails	JCS	0.1
20181114	Review for technical conference	JCS	0.7
20181115	Review PO #2, Analysis	JCS	0.3
20181119	Review IR responses	JCS	0.8
20181120	Review IR responses, Spreadsheets, Research	JCS	1.2
20181121	Review IR responses, Spreadsheets, Research, Telephone call with OEB staff	JCS	2.0
20181122	Draft and file technical conference questions and areas of concerns, Review filings of others, Many emails	JCS	6.0
20181123	Review AMPCO questions, Various emails, Telephone conversation with Charles Keiser	JCS	0.3
20181126	Many emails	JCS	0.1
20181127	Many emails, Review issues for TC	JCS	0.4
20181128	Prep for technical conference, Review pension OPEB issues	JCS	6.0
20181129	Attend at technical conference, Prep, Review transcript	JCS	2.8
20181204	Review submissions, Many emails	JCS	0.3
20181205	Review proposed issues list	JCS	0.1
20181207	Review undertakings	JCS	1.0
20181210	Many emails	JCS	0.3
20181211	Review OPG reply submissions	JCS	0.4
20181212	Many emails, Review AMPCO issue	JCS	0.4
20181213	Many emails, Review PO #3, Review transcript	JCS	0.4
20181217	Review undertaking responses and prep	JCS	1.0
20181219	Draft and file issues list submissions, Review submissions of others, Many emails, Check revised transcript	JCS	1.0
20181220	Review AMPCO submission	JCS	0.4
20181221	Review OPG Submissions, Pension and OPEBs spreadsheet, Many emails, Letter re: OPG submissions in reply	JCS	4.0
20181231	Prep for ADR	JCS	1.0
20190104	Review evidence	JCS	1.2
20190107	Prep for ADR, Impact model revisions, Many emails, Review issues list decision	JCS	4.3
20190108	Attend at ADR, Prep for negotiations, Many emails, Review and prepare spreadsheets	JCS	6.0
20190109	Attend at ADR, Prep for negotiations, Many emails, Review and prepare spreadsheets	JCS	7.0

20190110	Many emails	JCS	0.1
20190117	Many emails	JCS	0.1
20190118	Review and edit settlement agreement, Many emails	JCS	2.1
20190119	Many emails	JCS	0.1
20190120	Many emails	JCS	0.1
20190122	Various emails	JCS	0.1
20190125	Many emails	JCS	0.1
20190126	Various emails	JCS	0.1
20190128	Review DPAO, Many emails	JCS	1.1
20190129	Edit DPAO, Many emails, Review prior orders	JCS	2.2
20190130	Many emails, Review Board letter, Review final filing	JCS	0.3
			72.9

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3127.41
27184.41