



Jay Shepherd

Professional Corporation
2300 Yonge Street,
Suite 806
Toronto, Ontario M4P 1E4

BY EMAIL and RESS

January 18, 2013
Our File No. 20120161

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

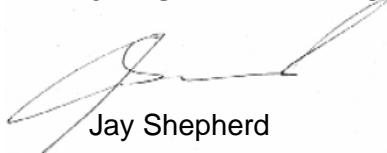
Re: EB-2012-0161 – Powerstream 2013 Rates – SEC Cost Claim

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 note that Jay Shepherd of our office took the lead on this proceeding, with the assistance of consultant Deborah Devgan. The Docket Details includes 22.0 hours for Ms. Devgan attending technical conference, ADR, and oral hearing at the same time as counsel. In keeping with the Board's practice, we have reviewed those hours, and as a result have not included them in the hours claimed. The remaining hours worked by Ms. Devgan on this matter were drafting interrogatories, assistance in preparing ADR positions, and other supporting activities.

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.**

| | | | |
|-------------|---|-----------------------|-------------------------------|
| File # EB- | 2012-0161 | Process: | Powerstream 2013 Rates |
| Party: | School Energy Coalition | Affiant's Name: | Jay Shepherd |
| HST Number: | <input type="text"/> | HST Rate Ontario: | <input type="text"/> |
| | 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 ,
in the Province/State of , on (date).

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2012-0161 **Process:** Powerstream 2013 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

| | |
|-------------------------|--------------------|
| Legal/consultant fees | \$42,626.00 |
| Disbursements | \$0.00 |
| HST | \$0.00 |
| Total Cost Claim | \$42,626.00 |

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

| | | | |
|--------------------------------------|-------------------------------------|---|-------------------------------------|
| File # EB- | 2012-0161 | Process: | Powerstream 2013 Rates |
| Party: | School Energy Coalition | Name: | Jay Shepherd |
| | | Completed Years Practising/Years of relevant experience | |
| Counsel/Articling Student/Paralegal: | <input checked="" type="checkbox"/> | | 32 |
| Consultant: | <input type="checkbox"/> | | |
| CV attached: | <input type="checkbox"/> | CV not required: | <input checked="" type="checkbox"/> |

Statement of Fees Being Claimed

| | Hours | Hourly rate | Subtotal | HST | Total |
|------------------------------------|-------|-------------|--------------------|---------------|--------------------|
| Preparation | 58.00 | \$330.00 | \$19,140.00 | \$0.00 | \$19,140.00 |
| Attendance - Technical Conference | 4.60 | \$330.00 | \$1,518.00 | \$0.00 | \$1,518.00 |
| Attendance - Settlement Conference | 24.40 | \$330.00 | \$8,052.00 | \$0.00 | \$8,052.00 |
| Attendance - Oral Hearing | 4.20 | \$330.00 | \$1,386.00 | \$0.00 | \$1,386.00 |
| Argument | 18.60 | \$330.00 | \$6,138.00 | \$0.00 | \$6,138.00 |
| Case Management | | \$170.00 | \$0.00 | \$0.00 | \$0.00 |
| | | | | | |
| TOTAL LEGAL/CONSULTANT FEES | | | \$36,234.00 | \$0.00 | \$36,234.00 |

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 |
| | | | |
| TOTAL DISBURSEMENTS: | \$0.00 | \$0.00 | \$0.00 |

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

| | | | |
|--------------------------------------|-------------------------------------|---|--------------------------|
| File # EB- | 2012-0161 | Process: | Powerstream 2013 Rates |
| Party: | School Energy Coalition | Name: | Deborah Devgan |
| | | Completed Years Practising/Years of relevant experience | |
| Counsel/Articling Student/Paralegal: | <input type="checkbox"/> | 2 | |
| Consultant: | <input checked="" type="checkbox"/> | | |
| CV attached: | <input checked="" type="checkbox"/> | CV not required: | <input type="checkbox"/> |

Statement of Fees Being Claimed

| | Hours | Hourly rate | Subtotal | HST | Total |
|------------------------------------|-------|-------------|------------|--------|-------------------|
| Preparation | 37.60 | \$170.00 | \$6,392.00 | \$0.00 | \$6,392.00 |
| Attendance - Technical Conference | | \$170.00 | \$0.00 | \$0.00 | \$0.00 |
| Attendance - Settlement Conference | | \$170.00 | \$0.00 | \$0.00 | \$0.00 |
| 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 |
| | | | | | |
| TOTAL LEGAL/CONSULTANT FEES | | | \$6,392.00 | \$0.00 | \$6,392.00 |

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 |
| | | | |
| TOTAL DISBURSEMENTS: | \$0.00 | \$0.00 | \$0.00 |

| Date | Explanation | Lwyr | Devgan | | | | | Shepherd | | | | | |
|----------|--|------|--------|------|-----|---------|-------|----------|------|-----|---------|----------|-------|
| | | | Prep | Tech | ADR | Hearing | Total | Prep | Tech | ADR | Hearing | Argument | Total |
| 20120507 | Many emails, impact analysis, report to client | JCS | 0.0 | | | | | 0.8 | | | | | 0.8 |
| 20120607 | Review evidence. | DD | 2.0 | | | | 2.0 | 0.0 | | | | | |
| 20120608 | Review evidence. | DD | 2.0 | | | | 2.0 | 0.0 | | | | | |
| 20120608 | Review notice, various emails | JCS | 0.0 | | | | | 0.1 | | | | | 0.1 |
| 20120613 | Review evidence and materials. | DD | 4.8 | | | | 4.8 | 0.0 | | | | | |
| 20120615 | Review evidence and materials. | DD | 2.5 | | | | 2.5 | 0.0 | | | | | |
| 20120618 | Review evidence and materials. | DD | 3.8 | | | | 3.8 | 0.0 | | | | | |
| 20120619 | Review evidence. | DD | 3.7 | | | | 3.7 | 0.0 | | | | | |
| 20120620 | Comparisons, review evidence | JCS | 0.0 | | | | | 1.0 | | | | | 1.0 |
| 20120622 | Review evidence. | JCS | 0.0 | | | | | 1.8 | | | | | 1.8 |
| 20120624 | Review evidence | JCS | 0.0 | | | | | 1.2 | | | | | 1.2 |
| 20120625 | Review evidence, client reporting | JCS | 0.0 | | | | | 0.4 | | | | | 0.4 |
| 20120627 | Data analysis | JCS | 0.0 | | | | | 1.6 | | | | | 1.6 |
| 20120706 | Review PO#1 and scheduling | JCS | 0.0 | | | | | 0.3 | | | | | 0.3 |
| 20120710 | Many emails, comments to intervenors on issues | JCS | 0.0 | | | | | 0.5 | | | | | 0.5 |
| 20120711 | Many emails | JCS | 0.0 | | | | | 0.3 | | | | | 0.3 |
| 20120713 | Review submissions, draft and file letter | JCS | 0.0 | | | | | 0.6 | | | | | 0.6 |
| 20120717 | Review intervenors' and applicant's issues list submissions. | DD | 0.8 | | | | 0.8 | 0.0 | | | | | |
| 20120722 | Review evidence | JCS | 0.0 | | | | | 2.0 | | | | | 2.0 |
| 20120725 | Review PO#2, final issues list. | DD | 0.2 | | | | 0.2 | 0.0 | | | | | |
| 20120725 | Review decision, PO#2 and scheduling | JCS | 0.0 | | | | | 0.5 | | | | | 0.5 |
| 20120731 | Many emails | JCS | 0.0 | | | | | 0.2 | | | | | 0.2 |
| 20120801 | Many emails | JCS | 0.0 | | | | | 0.3 | | | | | 0.3 |
| 20120805 | Review evidence | JCS | 0.0 | | | | | 2.0 | | | | | 2.0 |
| 20120807 | Prepare draft IRs (Rate Base/OM&A). | DD | 1.4 | | | | 1.4 | 0.0 | | | | | |
| 20120807 | Meeting with Deb Devgan, review further evidence, IRs, review EP IRs | JCS | 0.0 | | | | | 2.5 | | | | | 2.5 |
| 20120808 | Prepare draft IRs, review EP IRs. | DD | 1.4 | | | | 1.4 | 0.0 | | | | | |
| 20120808 | Review Deb Devgan's IRs | JCS | 0.0 | | | | | 0.3 | | | | | 0.3 |
| 20120809 | Review evidence, drafting IRs | JCS | 0.0 | | | | | 2.1 | | | | | 2.1 |
| 20120810 | Draft, revise and file IRs, many emails | JCS | 0.0 | | | | | 3.6 | | | | | 3.6 |
| 20120814 | Review of intervenor IRs. | DD | 1.0 | | | | 1.0 | 0.0 | | | | | |
| 20120830 | Review IR response | JCS | 0.0 | | | | | 1.0 | | | | | 1.0 |
| 20120906 | Review IR responses, meeting with Deb Devgan | JCS | 0.0 | | | | | 1.0 | | | | | 1.0 |
| 20120910 | Review of PO#3 and scheduling. | DD | 0.2 | | | | 0.2 | 0.0 | | | | | |
| 20120910 | Review PO#3 and scheduling | JCS | 0.0 | | | | | 0.3 | | | | | 0.3 |
| 20120917 | Review VECC material | JCS | 0.0 | | | | | 0.6 | | | | | 0.6 |

| | | | | | | | | | | | | |
|----------|---|-----|-----|-----|--|-----|-----|-----|--|--|--|-----|
| 20120920 | Various emails | JCS | 0.0 | | | | 0.2 | | | | | 0.2 |
| 20120921 | Review Board and Intervenor IRs, applicant IRRs, preparation for TC. | DD | 2.3 | | | 2.3 | 0.0 | | | | | |
| 20120921 | Many emails | JCS | 0.0 | | | | 0.2 | | | | | 0.2 |
| 20120923 | Review IR responses, review draft TC questions | JCS | 0.0 | | | | 3.1 | | | | | 3.1 |
| 20120924 | Attended at Technical Conference, research of materials for questions. | DD | 1.5 | 4.0 | | 5.5 | 0.0 | | | | | |
| 20120924 | Attend at Technical Conference, review more IR responses | JCS | 0.0 | | | | 0.0 | 4.6 | | | | 4.6 |
| 20120927 | Review Decision & Order, review TC transcripts for settlement. | DD | 3.6 | | | 3.6 | 0.0 | | | | | |
| 20120927 | Review decision, many emails | JCS | 0.0 | | | | 0.2 | | | | | 0.2 |
| 20120928 | Review evidence, review IR responses | JCS | 0.0 | | | | 2.2 | | | | | 2.2 |
| 20120929 | Review material, prepare for ADR | JCS | 0.0 | | | | 2.5 | | | | | 2.5 |
| 20121001 | Review undertakings. | DD | 1.0 | | | 1.0 | 0.0 | | | | | |
| 20121001 | Review u/t responses | JCS | 0.0 | | | | 0.5 | | | | | 0.5 |
| 20121002 | Prepare for ADR, many emails | JCS | 0.0 | | | | 1.5 | | | | | 1.5 |
| 20121003 | Attended settlement conference, review offer. | DD | 0.5 | 6.0 | | 6.5 | 0.0 | | | | | |
| 20121003 | Attend ADR, many emails, review additional materials | JCS | 0.0 | | | | 0.0 | 6.1 | | | | 6.1 |
| 20121004 | Attended settlement conference, review counter-offers. | DD | 3.5 | 4.0 | | 7.5 | 0.0 | | | | | |
| 20121004 | Attend ADR, many emails, prepare | JCS | 0.0 | | | | 0.0 | 5.6 | | | | 5.6 |
| 20121005 | Attended settlement conference. | DD | 0.0 | 5.0 | | 5.0 | 0.0 | | | | | |
| 20121005 | Attend ADR, many emails, reporting | JCS | 0.0 | | | | 0.0 | 7.1 | | | | 7.1 |
| 20121009 | Many emails, telephone call with Colin, telephone call with Julie Girvan | JCS | 0.0 | | | | 2.3 | | | | | 2.3 |
| 20121010 | Intervention meeting, conference call with Company, many emails, prepare status summary | JCS | 0.0 | | | | 3.7 | | | | | 3.7 |
| 20121011 | Many emails | JCS | 0.0 | | | | 0.2 | | | | | 0.2 |
| 20121012 | Review applicant additional evidence. | DD | 1.3 | | | 1.3 | 0.0 | | | | | |
| 20121012 | Review additional material, many emails | JCS | 0.0 | | | | 1.0 | | | | | 1.0 |
| 20121012 | Many emails | JCS | 0.0 | | | | 0.2 | | | | | 0.2 |
| 20121015 | Many emails | JCS | 0.0 | | | | 0.2 | | | | | 0.2 |
| 20121016 | Review agreement, many emails | JCS | 0.0 | | | | 0.0 | 1.0 | | | | 1.0 |
| 20121017 | Full edit of agreement, many emails | JCS | 0.0 | | | | 0.0 | 2.7 | | | | 2.7 |
| 20121018 | Many emails | JCS | 0.0 | | | | 0.0 | 0.5 | | | | 0.5 |
| 20121024 | Review agreement, many emails, sign off | JCS | 0.0 | | | | 0.0 | 1.4 | | | | 1.4 |
| 20121024 | Review IR responses | JCS | 0.0 | | | | 3.1 | | | | | 3.1 |
| 20121026 | Meeting with JCS re: scheduling. | DD | 0.1 | | | 0.1 | 0.0 | | | | | |

| | | | | | | | | | | | | | |
|----------|--|-----|------|-----|------|-----|------|------|-----|------|-----|------|-------|
| 20121026 | Many emails, scheduling, meeting with Deb Devgan, review BLG letter | JCS | 0.0 | | | | | 0.8 | | | | | 0.8 |
| 20121027 | Various emails | JCS | 0.0 | | | | | 0.1 | | | | | 0.1 |
| 20121028 | Prepare cross for hearing, many emails | JCS | 0.0 | | | | | 3.8 | | | | | 3.8 |
| 20121029 | Attended oral hearing. | DD | 0.0 | | | 3.0 | 3.0 | 0.0 | | | | | |
| 20121029 | Attend at hearing, prepare, many emails, review transcript | JCS | 0.0 | | | | | 0.0 | | | 4.2 | | 4.2 |
| 20121030 | Client reporting | JCS | 0.0 | | | | | 1.3 | | | | | 1.3 |
| 20121101 | Review responses to u/t, analysis of issues, many emails | JCS | 0.0 | | | | | 1.3 | | | | | 1.3 |
| 20121105 | Review argument in chief | JCS | 0.0 | | | | | 0.0 | | | | 1.0 | 1.0 |
| 20121107 | Many emails, review Randy Aiken's calculations | JCS | 0.0 | | | | | 0.0 | | | | 1.2 | 1.2 |
| 20121109 | Review transcript, many emails, review Randy's argument, telephone call with Julie Girvan | JCS | 0.0 | | | | | 0.0 | | | | 3.3 | 3.3 |
| 20121111 | Review evidence | JCS | 0.0 | | | | | 0.0 | | | | 1.5 | 1.5 |
| 20121112 | Many emails, review staff argument, outline argument | JCS | 0.0 | | | | | 0.0 | | | | 1.3 | 1.3 |
| 20121113 | Many emails, draft, revise and file argument, review arguments of others, spreadsheet for spending pattern | JCS | 0.0 | | | | | 0.0 | | | | 8.7 | 8.7 |
| 20121123 | Review reply | JCS | 0.0 | | | | | 0.0 | | | | 1.6 | 1.6 |
| 20121130 | Reporting | JCS | 0.0 | | | | | 0.1 | | | | | 0.1 |
| 20121221 | Review decision, reporting, scheduling | JCS | 0.0 | | | | | 1.8 | | | | | 1.8 |
| 20130111 | Review DRO | JCS | 0.0 | | | | | 0.2 | | | | | 0.2 |
| 20130118 | Review DRO comments of others, Review DRO | JCS | 0.0 | | | | | 2.5 | | | | | 2.5 |
| | | | 37.6 | 4.0 | 15.0 | 3.0 | 59.6 | 58.0 | 4.6 | 24.4 | 4.2 | 18.6 | 109.8 |

DEBORAH DEVGAN

80 Mill Street, Suite 1007, Toronto, ON M5A 4T3
Tel/Cell: 647-522-5045 Email: ddevgan@sympatico.ca

EDUCATION

Bachelor of Arts: Political Science, Psychology, Sociology, Cinema Studies - University of Toronto 1984.

Continuing Education: Law Clerks of Ontario – George Brown College 2008.

Professional Development: CAMPUT Energy Regulation Course 2012.

Secondary: Havergal College 1979.

Additional studies: French - Alliance Francaise.

Other: Proficient in Macintosh, PC, Microsoft Office 2010, PCLaw, Quicklaw, QuickBooks.

EMPLOYMENT

ROCHON GENOVA LLP

Position: Law Clerk

2010

- Civil litigation related to civil sexual and institutional abuse, misconduct claims and aboriginal rights. Duties include co-ordination and scheduling of court dates, mediation, examination for discovery and settlement, with counsel and clients. Drafting of related documents and correspondence. New inquiry assessments for initial consultation.

DAVID SHARE ASSOCIATES

Position: Law Clerk

2009-2010

- Plaintiff insurance litigation for long-term disability. Duties include co-ordination and scheduling of court dates, mediation, Examinations for Discovery or negotiation meetings for counsel, adjusters and clients with drafting of related documents or correspondence. Preparation of medical briefs. FSCO applications. New inquiry assessments for initial consultation.

STRYPE BARRISTERS LLP

Position: Legal Support

2007-2008

- Assistance to a small personal injury, medical malpractice law firm. Duties include PNC (Potential New Client) Intake reporting to the key Partner, PC Law entries, office management assistance and reception duties.

APEX CENTRE FOR INTEGRATED HEALTH

Position: Assistant Manager

2007

- Management consultant for a wellness clinic for 8 practitioners, class scheduling for a yoga/fitness studio and promotion of a juice bar café, management and bookkeeping for clinical psychologist's practice (accident claims).

FREELANCE TELEVISION PRODUCTION

Positions: Researcher/Production Manager/Producer

2002-2006

- Produced film and tv projects across Canada in documentary television for broadcast on the CBC, TVO, OMNI-TV, HGTV as well as for the National Film Board and Canadian Heritage. Along with numerous Gemini nominations, one Gemini Award winner for 'Best Documentary' 2006.
- Budgeting, bookkeeping, financial/accounting reports. Comprehensive production and office management from inception to wrap, including staffing, set-up of company records with an emphasis on streamlined systems and cost-effective resources and methods.

EMPLOYMENT BUSINESS

INTERNATIONAL BUYING CONSULTANTS

1990-1991

Position: Manager, New York

- Management of a small promotions and incentives manufacturers agency.

NOW MAGAZINE

1989-1990

Position: Advertising Sales Representative, Toronto

- Display advertising sales for a news and entertainment weekly newspaper.

R.M.S. (Canada) SALES

1985-1989

Position: Sales & Marketing Manager, Toronto

- Partner and manager of a small manufacturer's agency importing and exporting.

MEMBERSHIPS & COMMUNITY

Memberships:

- The Institute of Law Clerks of Ontario

Community:

- Gooderham & Worts Neighbourhood Association:
Board Executive - Treasurer 2007-8.
- 51 Division Community Police Liaison Committee:
Community Co-Chair 2007 - 2010. Co-Chair *Building Bridges* Scholarship Fundraiser, established in 2009, in partnership with George Brown College providing awards annually to underprivileged youth.