



## Jay Shepherd

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

### **BY EMAIL and RESS**

April 18, 2013  
Our File No. 20120176

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-2012-0055 – Enbridge 2011 D/V Accounts – 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 was responsible for this matter. SEC was actively involved in the process up to and including the settlement of most issues. We then made the assessment that other parties would fully canvass the remaining issues, and that further involvement by SEC could be duplicative. We therefore reduced our involvement, and the hours reflect that determination.

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- **2012-0055** Process: **Enbridge 2011 Deferral and Variance Accounts**

Party: **School Energy Coalition** Affiant's Name: **Jay Shepherd**

HST Number:  HST Rate Ontario:

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   
(date)

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



**Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits**

**File # EB-** 2012-0055 **Process:** Enbridge 2011 Deferral and Variance Accounts

**Party:** School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$8,184.00
Disbursements	\$0.00
HST	\$0.00
<b>Total Cost Claim</b>	<b>\$8,184.00</b>

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB-	<b>2012-0055</b>	Process:	Enbridge 2011 Deferral and Variance Accounts
Party:	School Energy Coalition	Name:	Jay Shepherd
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>		33
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	10.80	\$330.00	\$3,564.00	\$0.00	\$3,564.00
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	14.00	\$330.00	\$4,620.00	\$0.00	\$4,620.00
Attendance - Oral Hearing		\$330.00	\$0.00	\$0.00	\$0.00
Argument		\$330.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$8,184.00	\$0.00	<b>\$8,184.00</b>

#### 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	<b>\$0.00</b>

Date	Explanation	Lwyr	Prep	ADR	Hours
20120511	Review application	JCS	0.5		0.5
20120629	Many emails	JCS	0.2		0.2
20120703	Many emails	JCS	0.2		0.2
20120712	Review PO#1, review evidence	JCS	2.7		2.7
20120713	Draft and file IRs, review IRs of others	JCS	1.3		1.3
20120714	Review IRs of others various emails	JCS	0.3		0.3
20120724	Review IR response	JCS	1.0		1.0
20120727	Review IRs	JCS	0.5		0.5
20120731	Prepare for ADR, review IRs	JCS	1.4		1.4
20120801	Attend at ADR, many emails, review materials	JCS		6.0	6.0
20120802	Attend at ADR, many emails	JCS		6.0	6.0
20120807	Review agreement, many emails	JCS		0.7	0.7
20120808	Review agreement, edit, many emails, review edits of others	JCS		1.1	1.1
20120824	Many emails re agreement	JCS		0.2	0.2
20120827	Review new exhibit	JCS	0.1		0.1
20120917	Review decision	JCS	0.4		0.4
20121113	Many emails	JCS	0.2		0.2
20121116	Various emails	JCS	0.1		0.1
20121123	Review transcript, many emails	JCS	0.4		0.4
20121126	Various emails	JCS	0.1		0.1
20121129	Review PO#2	JCS	0.2		0.2
20121212	Review submissions of staff and intervenors, many emails	JCS	0.7		0.7
20121221	Review reply argument	JCS	0.5		0.5
			10.8	14.0	24.8