



Jay Shepherd

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

BY EMAIL and RESS

April 18, 2013
Our File No. 20120146

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2012-0146 – London 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 12.0 hours for Ms. Devgan attending ADR 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. We have reviewed the quantum of those hours, and have determined that the amount claimed should be reduced from 59.7 to 30.0, to reflect the value of the work in the context of the particular case.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.

Jay Shepherd

cc: Wayne McNally, SEC (email)
Interested Parties

Tel: (416) 483-3300 Cell: (416) 804-2767 Fax: (416) 483-3305
jay.shepherd@canadianenergylawyers.com
www.canadianenergylawyers.com

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-	2012-0146	Process:	London 2013 Rates
Party:	School Energy Coalition	Affiant's Name:	Mark Rubenstein
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- 2012-0146

Process: London 2013 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$24,570.00
Disbursements	\$0.00
HST	\$0.00
Total Cost Claim	\$24,570.00

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB-	2012-0146	Process:	London 2013 Rates
Party:	School Energy Coalition	Name:	Jay Shepherd
		Completed Years Practising/ Years of relevant experience	33
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>		
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	42.20	\$330.00	\$13,926.00	\$0.00	\$13,926.00
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	16.80	\$330.00	\$5,544.00	\$0.00	\$5,544.00
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
TOTAL LEGAL/CONSULTANT FEES			\$19,470.00	\$0.00	\$19,470.00

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

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB-	2012-0146	Process:	London 2013 Rates
Party:	School Energy Coalition	Name:	Deborah Devgan
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	Completed Years Practising/Years of relevant experience	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	30.00	\$170.00	\$5,100.00	\$0.00	\$5,100.00
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			\$5,100.00	\$0.00	\$5,100.00

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

Date	Explanation	Lwyr	Devgan			Shepherd		
			Prep	ADR	Total	Prep	ADR	Total
20121018	Discussion re: application w. JCS.	DD	0.2		0.2			
20121018	Review application summary, strategic plan and financial statements.	DD	1.7		1.7			
20121018	Review application, meeting with Deb Devgan	JCS				1.1		1.1
20121023	Review admin, overview and revenue requirement.	DD	1.3		1.3			
20121026	Prepare and file the NOI.	DD	0.5		0.5			
20121026	Review rate base.	DD	1.2		1.2			
20121030	Review application.	DD	0.8		0.8			
20121109	Review evidence.	DD	2.3		2.3			
20121115	Review application.	DD	1.2		1.2			
20121116	Review application	DD	2.4		2.4			
20121121	Review evidence	JCS				3.2		3.2
20121121	Review application.	DD	1.2		1.2			
20121123	Review application materials.	DD	0.7		0.7			
20121127	Review evidence	JCS				2.2		2.2
20121129	Review PO#1 and scheduling, many emails	JCS				0.4		0.4
20121129	Review application, PO#1 and scheduling.	DD	1.2		1.2			
20121213	Review of application. Review of Board IRs.	DD	1.8		1.8			
20121220	Review evidence.	DD	1.6		1.6			
20121224	Review PO#2 and scheduling	JCS				0.3		0.3
20130102	Various emails	JCS				0.1		0.1
20130103	Review PO#2, scheduling. Review application and evidence.	DD	4.6		4.6			
20130104	Review application and evidence.	DD	6.8		6.8			
20130106	Review application and evidence.	DD	5.2		5.2			
20130108	Review staff IR responses	JCS				0.4		0.4
20130109	Review applicant reply to Board IRs.	DD	2.8		2.8			
20130115	Prepare draft IRs.	DD	2.5		2.5			
20130116	Meeting with Deb Devgan	JCS				0.1		0.1
20130116	Meeting with JCS re: IRs.	DD	0.1		0.1			
20130118	Review evidence, IRs, meeting with Deb Devgan	JCS				2.3		2.3
20130118	Meeting with JCS re: IRs.	DD	0.1		0.1			
20130119	Review evidence, draft IRs, prepare HR data	JCS				3.7		3.7
20130120	Draft, revise and file IRs, prepare Timeline data and file	JCS				7.8		7.8
20130121	Review submitted intervenor IRs.	DD	1.8		1.8			
20130204	Review IR responses	JCS				0.2		0.2
20130207	Many emails	JCS				0.1		0.1
20130208	Review Applicant IRRs.	DD	2.3		2.3			
20130208	Various emails	JCS				0.1		0.1
20130209	Review IR responses	JCS				1.0		1.0
20130211	Review Applicant IRRs.	DD	1.3		1.3			
20130213	Review Applicant IRRs.	DD	0.8		0.8			
20130214	Various emails, scheduling	JCS				0.3		0.3
20130220	Review Applicant IRRs, prepare responses.	DD	1.7		1.7			
20130221	Prepare draft IRRs.	DD	3.4		3.4			
20130221	Many emails	JCS				0.1		0.1
20130222	Review evidence and complete draft IRRs.	DD	4.3		4.3			
20130222	Review PO#3, decision and scheduling, review redacted tables	JCS				0.4		0.4
20130223	Review IR responses	JCS				1.7		1.7
20130224	Review IR responses, supplementary IRs, various emails	JCS				7.0		7.0

20130225	Review intervenor IRRs.	DD	0.6		0.6			
20130225	Draft, revise and file supplementary IRs, many emails	JCS				2.2		2.2
20130306	Review supplementary IRs	JCS				1.0		1.0
20130307	Review applicant responses to Supplemental IRs.	DD	1.2		1.2			
20130308	Review supplementary IRs	JCS				1.9		1.9
20130308	Review applicant responses and emails.	DD	2.1		2.1			
20130309	Prepare for ADR	JCS				2.0		2.0
20130310	Prepare for ADR	JCS				2.6		2.6
20130311	Attended settlement conference.	DD		7.0	7.0			
20130311	Attend at ADR, many emails	JCS					8.0	8.0
20130312	Attend at ADR, many emails	JCS					3.8	3.8
20130312	Attended settlement conference.	DD		5.0	5.0			
20130313	Review balances, many emails	JCS					0.4	0.4
20130319	Review agreement	JCS					0.3	0.3
20130323	Review and edit agreement, many emails	JCS					1.8	1.8
20130324	Review Randy Aiken's comment	JCS					0.2	0.2
20130326	Many emails	JCS					0.4	0.4
20130327	Many emails	JCS					0.8	0.8
20130328	Review final agreement and signoff, many emails	JCS					1.1	1.1
			59.7	12.0	71.7	42.2	16.8	59.0

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

2009-2010

Position: Law Clerk

- 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

2007-2008

Position: Legal Support

- 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

2007

Position: Assistant Manager

- 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

2002-2006

Positions: Researcher/Production Manager/Producer

- 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.