



Jay Shepherd

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

BY EMAIL and RESS

July 15, 2013
Our File No. 20120162

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2012-0162 – PUC Distribution 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.

Jay Shepherd of our office took the lead on this matter, but Deborah Devgan assisted, particularly with the review of the Application and the drafting of interrogatories. We note that per her docket Ms. Devgan's time was 49.5 hours. In keeping with the Board's normal practices, we have deducted her time spent in the ADR discussions, as counsel was also present. In accordance with our own internal processes, we have also reviewed Ms. Devgan's time spent on interrogatories and other aspects of the case, and determined that it is reasonable to reduce that time from 37.5 hours to 20.0 hours for cost claim purposes. We have treated the remainder as learning time, and not recoverable.

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-	2012-0162	Process:	PUC Distribution 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 **Toronto**,
in the Province/State of **Ontario**, on **July-16-13**.
(date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2012-0162

Process: PUC Distribution 2013 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$20,428.00
Disbursements	\$0.00
HST	\$0.00
Total Cost Claim	\$20,428.00

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB-	2012-0162	Process:	PUC Distribution 2013 Rates
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	31.30	\$330.00	\$10,329.00	\$0.00	\$10,329.00
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	20.30	\$330.00	\$6,699.00	\$0.00	\$6,699.00
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			\$17,028.00	\$0.00	\$17,028.00

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-	2012-0162	Process:	PUC Distribution 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	20.00	\$170.00	\$3,400.00	\$0.00	\$3,400.00
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			\$3,400.00	\$0.00	\$3,400.00

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	Arg	Total	Prep	Tech	ADR	Hearing	Arg	Total
20121112	Review filing	JCS							0.2					0.2
20121123	Review NOI	JCS							0.2					0.2
20130102	Prepare and file NOI.	DD	0.5					0.5						
20130102	Review NOI, meeting with Deb Devgan	JCS							0.2					0.2
20130118	Review PO#1.	DD	0.1					0.1						
20130118	Review PO#1 and scheduling	JCS							0.3					0.3
20130122	Review application and research.	DD	3.8					3.8						
20130125	Review application.	DD	1.7					1.7						
20130128	Review materials.	DD	0.5					0.5						
20130129	Review application, research.	DD	4.6					4.6						
20130130	Review application and Board IRs.	DD	2.2					2.2						
20130131	Review application evidence and Board IRs.	DD	3.8					3.8						
20130201	Review application and additional evidence.	DD	4.2					4.2						
20130204	Research and draft IRs.	DD	4.3					4.3						
20130204	Review evidence	JCS							0.5					0.5
20130205	Complete draft IRs for review.	DD	2.2					2.2						
20130205	Review evidence, review Deb Devgan's draft IRs, review staff IRs	JCS							2.1					2.1
20130206	Review evidence, draft IRs	JCS							3.0					3.0
20130207	Comparison spreadsheet, draft IRs	JCS							4.1					4.1
20130208	Finalize and file IRs, various emails	JCS							3.0					3.0
20130211	Review intervenor IRs.	DD	1.7					1.7						
20130226	Review correspondence, emails and PO#2.	DD	0.2					0.2						
20130226	Review PO#2	JCS							0.1					0.1
20130319	Review letter	JCS							0.1					0.1
20130321	Conference call re IRs and refilling, many emails	JCS							0.6					0.6
20130328	Review PO#3, scheduling	JCS							0.1					0.1
20130404	Review IR responses	JCS							1.5					1.5
20130415	Review IRRs.	DD	1.3					1.3						
20130415	Review IRs, many emails	JCS							1.0					1.0
20130416	Prepare supplementary IRs.	DD	1.2					1.2						
20130416	Many emails, review EP IRs	JCS							0.5					0.5
20130419	Review EP IRs, review PO#4	JCS							0.2					0.2
20130422	Review and draft supplementary IRs.	DD	1.9					1.9						
20130422	Review IR responses	JCS							2.0					2.0
20130423	Draft supplementary IRs.	DD	0.6					0.6						

20130424	Review IR responses	JCS						1.3					1.3	
20130425	Review IR responses	JCS						1.6					1.6	
20130429	Review submissions and comment	JCS						0.2					0.2	
20130429	Review staff IRs, many emails	JCS						0.4					0.4	
20130430	Draft and File supplemental IRs, review salary info	JCS						3.2					3.2	
20130501	Review PO#4 and scheduling.	DD	0.2				0.2	0.0						
20130501	Many emails, meeting with Randy Aiken	JCS						0.4					0.4	
20130514	Scan IR responses	JCS						0.3					0.3	
20130515	Review supplementary IRRs.	DD	1.0				1.0							
20130516	Review supplementary IRRs, preparation of for settlement.	DD	1.5				1.5							
20130516	Review Deb Devgan's analysis	JCS						0.4					0.4	
20130517	Many emails	JCS						0.3					0.3	
20130520	Prepare for ADR	JCS						3.0					3.0	
20130521	Attended settlement conference.	DD	0.0		7.0		7.0	0.0						
20130521	Attend at ADR, many emails, prepare for second day	JCS						0.0		6.0			6.0	
20130522	Attended settlement conference.	DD	0.0		5.0		5.0	0.0						
20130522	Attend at ADR, many emails	JCS						0.0		5.3			5.3	
20130529	Many emails, review agreement	JCS						0.0		0.3			0.3	
20130530	Review agreement, many emails	JCS						0.0		3.1			3.1	
20130601	Many emails, drafting agreement	JCS						0.0		0.6			0.6	
20130604	Review agreement, many emails	JCS						0.0		1.3			1.3	
20130605	Many emails, review agreement	JCS						0.0		2.1			2.1	
20130606	Many emails	JCS						0.0		0.8			0.8	
20130607	Many emails	JCS						0.0		0.3			0.3	
20130610	Many emails	JCS						0.0		0.2			0.2	
20130612	Final review and sign off	JCS						0.0		0.3			0.3	
20130613	Many emails	JCS						0.3					0.3	
20130704	Review decision	JCS						0.2					0.2	
			37.5	0.0	12.0	0.0	0.0	49.5	31.3	0.0	20.3	0.0	0.0	51.6

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.