



## Jay Shepherd

Professional Corporation  
2300 Yonge Street,  
Suite 806  
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**BY EMAIL and RESS**

July 22, 2013  
Our File No. 20120394

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-2012-0394 – Enbridge 2013-4 DSM Plan – 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 the undersigned took full carriage of this matter. Mark Rubenstein of our office was only involved in preparing for a motion filed by one of the parties. Thus, his time was quite limited.

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-**  **Process:**

**Party:**  **Affiant's Name:**

**HST Number:**  **HST Rate Ontario:**

Full Registrant ☒  
Unregistered ☐  
Other ☐

Qualifying Non-Profit ☐  
Tax Exempt ☐

**Affidavit**

I, , of the City/Town of   
in the Province/State of , 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-** 2012-0394 **Process:** Enbridge 2013-4 DSM Plan

**Party:** School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$7,108.00
Disbursements	\$0.00
HST	\$0.00
<b>Total Cost Claim</b>	<b>\$7,108.00</b>

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB-	<b>2012-0394</b>	Process:	Enbridge 2013-4 DSM Plan
Party:	<b>School Energy Coalition</b>	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	11.80	\$330.00	\$3,894.00	\$0.00	\$3,894.00
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing	4.00	\$330.00	\$1,320.00	\$0.00	\$1,320.00
Argument	4.40	\$330.00	\$1,452.00	\$0.00	\$1,452.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$6,666.00	\$0.00	<b>\$6,666.00</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>

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB-	<b>2012-0394</b>	Process:	Enbridge 2013-4 DSM Plan
Party:	School Energy Coalition	Name:	Mark Rubenstein
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>		1
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	2.60	\$170.00	\$442.00	\$0.00	\$442.00
Attendance - Technical Conference	0.00	\$170.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	0.00	\$170.00	\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing	0.00	\$170.00	\$0.00	\$0.00	\$0.00
Argument	0.00	\$170.00	\$0.00	\$0.00	\$0.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$442.00	\$0.00	<b>\$442.00</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	Rubenstein						Shepherd					
			Prep	Tech	ADR	Hearing	Arg	Total	Prep	Tech	ADR	Hearing	Arg	Total
20130314	emails/review NoH	MR	0.2					0.2						
20130314	Review notice	JCS							0.2					0.2
20130404	Review ED letter	JCS							0.2					0.2
20130409	Review PO#1 and scheduling	JCS							0.3					0.3
20130410	Review submissions	JCS							0.3					0.3
20130412	Many emails, telephone call with David Poch	JCS							0.8					0.8
20130416	Review EGD and CME letters, various emails	JCS							0.2					0.2
20130417	Review ED and GEC letters, many emails	JCS							0.8					0.8
20130419	Review PO#2, many emails	JCS							0.4					0.4
20130424	Review ED correspondence, many emails	JCS							0.3					0.3
20130425	meeting w JCS/review GEC motion/review and consider position/review settlement agreement	MR	2.0					2.0						
20130425	Many emails, review GEC motion	JCS							1.0					1.0
20130426	Review IGUA material, review letters, many emails, review submissions	JCS							1.0					1.0
20130428	Prepare for motion, many emails, review ED material	JCS							2.2					2.2
20130429	meeting w JCS	MR	0.4					0.4						
20130429	Attend at hearing, many meetings, many emails, review transcripts	JCS							2.0			4.0		6.0
20130503	Review PO#3 and scheduling	JCS							0.2					0.2
20130510	Review IRs of others	JCS							0.4					0.4
20130517	Review IR responses	JCS							1.0					1.0
20130529	Various emails, review letter	JCS							0.2					0.2
20130604	Review ED submissions	JCS							0.0				2.1	2.1
20130610	Review reply submissions	JCS							0.0				1.0	1.0
20130611	Review ED letter, draft response	JCS							0.0				1.0	1.0
20130612	Revise and file submission	JCS							0.0				0.3	0.3
20130704	Review decision	JCS							0.3					0.3
			2.6	0.0	0.0	0.0	0.0	2.6	11.8	0.0	0.0	4.0	4.4	20.2