



## Jay Shepherd

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

**BY EMAIL and RESS**

November 19, 2013  
Our File No. 20120116

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

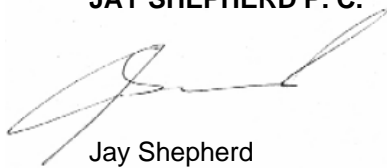
**Re: EB-2012-0116 – COLLUS PowerStream 2013 Rates – SEC Cost Claim**

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 apologize for the late filing, which arose because of an oversight on the part of the undersigned. We are taking steps to prevent that from happening again.

We note that Mark Rubenstein of our office took the lead on this matter. We have not claimed any of Jay Shepherd's time spent on supervision and client reporting.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**



Jay Shepherd

cc: Wayne McNally, SEC (email)  
Interested Parties

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**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.**

<b>File # EB-</b>	2012-0116	<b>Process:</b>	COLLUS Powerstream 2013 Rates
<b>Party:</b>	School Energy Coalition	<b>Affiant's Name:</b>	Jay Shepherd
<b>HST Number:</b>	_____	<b>HST Rate Ontario:</b>	_____
	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 November-20-13.  
(date)

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits**

**File # EB-** 2012-0116 **Process:** COLLUS Powerstream 2013 Rates

**Party:** School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$10,370.00
Disbursements	\$0.00
HST	\$0.00
<b>Total Cost Claim</b>	<b>\$10,370.00</b>

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

<b>File #</b> EB- <b>2012-0116</b>	<b>Process:</b> COLLUS PowerStream 2013 Rates
<b>Party:</b> <b>School Energy Coalition</b>	<b>Name:</b> Mark Rubenstein
<b>Counsel/Articling Student/Paralegal:</b> <input checked="" type="checkbox"/>	<b>Completed Years Practising/Years of relevant experience</b>
<b>Consultant:</b> <input type="checkbox"/>	<b>2</b>
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input checked="" type="checkbox"/>

**Statement of Fees Being Claimed**

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	35.60	\$170.00	\$6,052.00	\$0.00	\$6,052.00
Attendance - Technical Conference	4.10	\$170.00	\$697.00	\$0.00	\$697.00
Attendance - Settlement Conference	21.30	\$170.00	\$3,621.00	\$0.00	\$3,621.00
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
<b>TOTAL LEGAL/CONSULTANT FEES</b>			\$10,370.00	\$0.00	\$10,370.00

**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
<b>TOTAL DISBURSEMENTS:</b>		\$0.00	\$0.00

Date	Explanation	Lwyr	Mark Rubenstein					
			Prep	Tech	ADR	Hearing	Arg	Total
20130510	review app/draft Nol	MR	0.3					0.3
20130529	file Nol/review application	MR	5.5					5.5
20130618	emails	MR	0.2					0.2
20130625	emails	MR	0.1					0.1
20130710	review PO	MR	0.2					0.2
20130730	review application/emails/draft IRs	MR	3.6					3.6
20130731	review application/review EP and Staff IRs/review models/draft IRs	MR	4.0					4.0
20130806	prepare/finalize, edit and submits IRs	MR	3.0					3.0
20130821	emails	MR	0.1					0.1
20130822	preliminary review of IRR/emails	MR	1.5					1.5
20130822	review of IRR/emails re: clearer copies of IR responses	MR	0.8					0.8
20130823	review IRRs	MR	2.5					2.5
20130826	review IRRs/review EP TCQ/prepare for TC	MR	2.1					2.1
20130828	draft and file Ltr re: issues to seek clarification at technical conference	MR	0.5					0.5
20130829	review Staff TCQs	MR	0.2					0.2
20130830	emails	MR	0.3					0.3
20130831	review Collus EP TCQ responses	MR	0.8					0.8
20130902	prepare for technical conference	MR	1.7					1.7
20130903	attend technical conference/emails/review transcript	MR	0.0	4.1				4.1
20130909	review TC undertaking responses	MR	0.3					0.3
20130910	review TC underaking responses/prepare and sign undertaking and decleration/review confidential material/prepare for settlement confere	MR	6.8					6.8
20130911	attend settlement conference/prepare for day 2/discussion w JCS	MR	0.0		7.3			7.3
20130912	attend settlement conference/emails/discussion w JCS/many emails/review evidence to consider Collus countrer-proposal	MR	0.0		5.8			5.8
20130913	emails/p. call w R. Aiken/conference call with Collus	MR	0.0		0.9			0.9
20130919	review PO	MR	0.1					0.1
20130920	review confidential material/determine no submission required/preliminary review of settlement agreement/emails	MR	0.4		0.3			0.7
20130922	review draft settlement agreement/review commetns and edits by VECC and EP/provide Secretarial Services comments and edits	MR	0.0		2.8			2.8
20130923	emails/review Board counsel edits/emails	MR	0.0		0.6			0.6
20130924	review draft accounting order/emails/review Board Staff comment on draft accounting order and settlement agreement	MR	0.0		0.8			0.8
20130925	review second draft of settlement agreement/review updated cost allocation model/emails	MR	0.0		0.6			0.6
20130926	emails/review updated appendixes/provide comments	MR	0.0		0.6			0.6
20130930	review third draft of settlement agreement/emails/review submission ltr	MR	0.0		0.5			0.5
20131001	emails	MR	0.0		0.2			0.2
20131010	emails/review Decision and PO/p. call w B. Armstrong/p. call w. R. Aiken	MR	0.3		0.2			0.5
20131011	review settlement emails/review VECC draft sub/review Staff sub/emails/discussion w JCS	MR	0.0		0.7			0.7
20131015	review Collus reply	MR	0.2					0.2
20131024	review decision on rate order	MR	0.1					0.1
			35.6	4.1	21.3	0.0	0.0	61.0