



Jay Shepherd

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BY EMAIL and RESS

February 27, 2014
Our File No. EB20130046

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2013-0046 – Enbridge 2012 ESM/Deferrals – 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 had carriage of this matter. Mark Rubenstein's involvement was generally limited, and was focused on final argument, helping to ensure that the positions taken were reviewed from all perspectives.

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- **2013-0046**

Process: **Enbridge 2012 ESM/Deferrals**

Party: **School Energy Coalition**

Affiant's Name: **Jay Shepherd**

HST Number:

HST Rate Ontario:

Full Registrant ☒
Unregistered ☐
Other ☐

Qualifying Non-Profit ☐
Tax Exempt ☐

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 ,
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- 2013-0046

Process: Enbridge 2012 ESM/Deferrals

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$9,239.00
Disbursements	\$0.00
HST	\$0.00
Total Cost Claim	\$9,239.00

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB-	2013-0046	Process:	Enbridge 2012 ESM/Deferrals
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	15.60	\$330.00	\$5,148.00	\$0.00	\$5,148.00
Attendance - Technical Conference		\$330.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	2.50	\$330.00	\$825.00	\$0.00	\$825.00
Attendance - Oral Hearing	1.30	\$330.00	\$429.00	\$0.00	\$429.00
Argument	7.00	\$330.00	\$2,310.00	\$0.00	\$2,310.00
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$8,712.00	\$0.00	\$8,712.00

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-	2013-0046	Process:	Enbridge 2012 ESM/Deferrals
Party:	School Energy Coalition	Name:	Mark Rubenstein
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>		2
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	1.10	\$170.00	\$187.00	\$0.00	\$187.00
Attendance - Technical Conference		\$170.00	\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference	2.00	\$170.00	\$340.00	\$0.00	\$340.00
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			\$527.00	\$0.00	\$527.00

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	Mark Rubenstein						Jay Shepherd					
			Prep	Tech	ADR	Hearing	Arg	Total	Prep	Tech	ADR	Hearing	Arg	Total
20130524	emails	MR	0.2					0.2						
20130524	Review application, various emails	JCS							0.5					0.5
20130614	emails	MR	0.3					0.3						
20130614	Review NOAH, many emails, notice	JCS							0.4					0.4
20130624	Review updated evidence	JCS							0.3					0.3
20130704	Review BOMA IRs, review evidence	JCS							1.0					1.0
20130705	Many emails, review evidence, draft IRs	JCS							5.5					5.5
20130719	Review applications, many emails	JCS							1.2					1.2
20130720	Review FRPO inquiry	JCS							0.2					0.2
20130721	Review IR responses	JCS							2.3					2.3
20130722	Complete review of IR responses	JCS							1.8					1.8
20130724	Many emails, attend at settlement conference	JCS							0.0		0.6			0.6
20130730	Review settlement agreement, many emails	JCS							0.0		0.7			0.7
20130731	Many emails, edit settlement agreement	JCS							0.0		1.2			1.2
20130801	Many emails	JCS							0.4					0.4
20130802	Many emails	JCS							0.3					0.3
20130820	Review decision and PO#2, scheduling	JCS							0.3					0.3
20130905	Review PO#3 and scheduling	JCS							0.3					0.3
20130906	review EGD correspondence	MR	0.2					0.2						
20130909	Many emails	JCS							0.3					0.3
20130910	Many emails	JCS							0.2					0.2
20130911	Many emails	JCS							0.2					0.2
20130916	Various emails	JCS							0.1					0.1
20130919	Review withdrawn issues	JCS							0.3					0.3
20130920	Attend at hearing, many emails	JCS							0.0			1.3		1.3
20131004	Review argument in chief	JCS							0.0				0.6	0.6
20131004	review EGD arg-in-chief	MR	0.0				0.3	0.3						
20131016	review BOMA arg	MR	0.0				0.2	0.2						
20131017	Review drafts from others, many emails	JCS							0.0				1.6	1.6
20131018	Review submissions of others, draft finalize and file final argument, telephone call with Randy Aiken, many emails	JCS							0.0				4.3	4.3
20131018	emails/review argument/disc w JCS	MR	0.0				1.2	1.2						
20131029	discussion w JCS re: strategy	MR	0.0				0.3	0.3						
20131030	Review reply argument	JCS							0.0				0.5	0.5
20131031	review reply arg	MR	0.4					0.4						
			1.1	0.0	0.0	0.0	2.0	3.1	15.6	0.0	2.5	1.3	7.0	26.4