



## Jay Shepherd

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

### **BY EMAIL and RESS**

May 14, 2014  
Our File No. HV-2012-0001

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-2013-0159 – Oakville 2014 Rates – HVAC Cost Claim**

We are counsel for the HVAC Coalition. We enclose the cost claim of the HVAC Coalition, on the Board's form and enclosing docket details.

We note that Jay Shepherd of our office took the lead on this matter. We limited our involvement to the issues list, a small number of interrogatories, and then negotiation and finalization of a full settlement by all parties of the shared services and transfer pricing concerns HVAC had raised. It is submitted that HVAC Coalition acted responsibly in this proceeding, raising issues relevant to the Applicant's rates, and finding an appropriate solution that protects the ratepayers, the Applicant, and the broader public interest, all while keeping the cost of HVAC Coalition's intervention as low as possible.

All of which is respectfully submitted.

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

Jay Shepherd

cc: Martin Luymes, HVAC (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-	<b>2013-0159</b>	Process:	<b>Oakville 2014 Rates</b>
Party:	<b>HVAC Coalition</b>	Affiant's Name:	<b>Jay Shepherd</b>
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 **14/15/2014**.  
(date)

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits**

**File # EB-** 2013-0159

**Process:** Oakville 2014 Rates

**Party:** HVAC Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$7,227.00
Disbursements	\$0.00
HST	\$0.00
<b>Total Cost Claim</b>	<b>\$7,227.00</b>

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB-	<b>2013-0159</b>	Process:	<b>Oakville 2014 Rates</b>
Party:	<b>HVAC Coalition</b>	Name:	<b>Jay Shepherd</b>
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>		<b>34</b>
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	8.70	\$330.00	\$2,871.00	\$0.00	\$2,871.00
Attendance - Technical Conference	1.10	\$330.00	\$363.00	\$0.00	\$363.00
Attendance - Settlement Conference	12.10	\$330.00	\$3,993.00	\$0.00	\$3,993.00
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
<b>TOTAL LEGAL/CONSULTANT FEES</b>			<b>\$7,227.00</b>	<b>\$0.00</b>	<b>\$7,227.00</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>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Date	Explanation	Lwyr	Prep	Tech	ADR	Hours
20121207	Many emails	JCS	0.1			0.1
20121210	Review web sites, analysis of option	JCS	0.6			0.6
20121211	Analysis of options, meeting with client	JCS	1.8			1.8
20131113	Telephone call with Martin Luymes	JCS	0.2			0.2
20131115	Notice of intervention and letter	JCS	0.4			0.4
20131127	Meeting with Mark Rubenstein, many emails, review PO#1	JCS	0.2			0.2
20131209	Many emails, research, Issues List submissions	JCS	1.6			1.6
20131210	Many emails, review web sites	JCS	0.6			0.6
20131212	Many emails	JCS	0.1			0.1
20131216	Prepare for issues day, many emails	JCS	0.6			0.6
20131217	Attend at issues day hearing, many emails	JCS	0.0	1.1		1.1
20131218	Review Oakville filing	JCS	0.1			0.1
20131222	Review PO#2, report to client, many emails, scheduling	JCS	0.5			0.5
20140122	Review staff IRs	JCS	0.1			0.1
20140129	Review evidence, draft and file IRs, many emails	JCS	1.8			1.8
20140303	Many emails, review IR responses, attend at ADR, meet with client and members	JCS	0.0		2.3	2.3
20140304	Attend at ADR, meeting with Mark Rubenstein, client reporting, many emails	JCS	0.0		2.7	2.7
20140305	Telephone call with Jamie Sidlofsky, client reporting	JCS	0.0		1	1.0
20140403	Review and report to client, Many emails, Review letter	JCS	0.0		0.5	0.5
20140404	Review draft, Many emails, Review Board letter	JCS	0.0		1.1	1.1
20140405	Various emails	JCS	0.0		0.1	0.1
20140407	Review draft, Revise, Many emails, Reporting	JCS	0.0		1.2	1.2
20140409	Review and edit agreement, Reporting, Many emails	JCS	0.0		1.1	1.1
20140410	Many emails, Telephone call with Jamie Sidlofsky and Applicant, Review and edit draft	JCS	0.0		1.6	1.6
20140416	Many emails, Review draft	JCS	0.0		0.3	0.3
20140417	Review, many emails	JCS	0.0		0.2	0.2
			8.7	1.1	12.1	21.9