



Jay Shepherd

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BY EMAIL and RESS

May 14, 2014
Our File No. 20130159

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2013-0159 – Oakville 2014 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 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.

The time spent on this matter is higher than most similar distribution rebasing cases that have reached a complete settlement. One reason was that the new issues list template took some extra time to both understand and finalize for the purposes of this Applicant. However, the second - and by far the most important - reason was that there was a significant issue of production and confidentiality, including the involvement of a third party copyright holder, and a notice of constitutional question, all of which consumed more than 35 incremental hours.

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.**

File # EB-	2013-0159	Process:	Oakville 2014 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 **May-14-14**.
(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: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$19,788.00
Disbursements	\$0.00
HST	\$0.00
Total Cost Claim	\$19,788.00

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB-	2013-0159	Process:	Oakville 2014 Rates
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	92.90	\$170.00	\$15,793.00	\$0.00	\$15,793.00
Attendance - Technical Conference	0.80	\$170.00	\$136.00	\$0.00	\$136.00
Attendance - Settlement Conference	22.70	\$170.00	\$3,859.00	\$0.00	\$3,859.00
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			\$19,788.00	\$0.00	\$19,788.00

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	Prep	Tech	ADR	Hours
20130705	emails	MR	0.3			0.3
20130711	emails	MR	0.2			0.2
20130819	emails	MR	0.1			0.1
20130820	emails/review agenda/prepare for meeting/review yearbook and last CoS decision	MR	1.5			1.5
20130821	attend stakeholder meeting/emails/discussion w JCS	MR	2.0			2.0
20130823	emails	MR	0.1			0.1
20131018	preliminary review of application/emails/prepare and file Nol	MR	2.0			2.0
20131028	review evidence	MR	1.5			1.5
20131029	emails	MR	0.1			0.1
20131105	emails	MR	0.1			0.1
20131118	review app	MR	1.0			1.0
20131122	review application	MR	2.0			2.0
20131127	review PO/emails	MR	0.2			0.2
20131128	discussion w JCS/emails	MR	0.8			0.8
20131204	emails	MR	0.3			0.3
20131209	emails/review submission on issues list from other proceedings/draft and file submission/review other parties sub	MR	2.7			2.7
20131210	review EP submission	MR	0.3			0.3
20131212	many emails re: issues day	MR	0.7			0.7
20131213	p. call w. J. Sidlofsky/emails	MR	0.7			0.7
20131216	prepare for and phone call w J. Sidlofsky/review orangevill decision/discussion w JCS/p. call w M. Helt/prepare for issues day	MR	2.0			2.0
20131217	attend issues day/emails/discussion w JCS	MR	0.0	0.8		0.8
20140103	review material	MR	2.5			2.5
20140106	review material	MR	1.5			1.5
20140108	review evidence/draft IRs	MR	2.5			2.5
20140114	review evidence/draft IRs	MR	5.5			5.5
20140116	review evidence/draft IRs	MR	1.5			1.5
20140118	review evidnce/draft IRs	MR	1.6			1.6

20140119	review evidence/draft IRs	MR	1.2			1.2
20140122	emails	MR	0.1			0.1
20140124	review Staff IRs/review evidence/review ICM application material and decision/review models	MR	1.2			1.2
20140125	review evidence/draft IRs/emails/consider issues regarding RRFE	MR	1.2			1.2
20140126	draft IRs/review models	MR	0.5			0.5
20140129	draft cover letter/edit for EP and Board duplicatesinalize/edit, finalize and file IRs/emails	MR	0.8			0.8
20140130	emails/review HVAC IRs	MR	0.5			0.5
20140218	emails/review Oakville corr	MR	0.2			0.2
20140221	preliminary review of IRR/emails	MR	1.0			1.0
20140223	review IRRs	MR	1.8			1.8
20140225	review IRR/emails/email clarification question	MR	0.5			0.5
20140226	emails	MR	0.1			0.1
20140227	emails/discussion w JCS/draft, edit and file Notice of Motion	MR	4.5			4.5
20140228	review IRR/emails/p. call w. H. Theisen/review PO/review confidential material/prep for settlement conference	MR	3.6			3.6
20140302	prepare for settlement conference	MR	6.3			6.3
20140303	attend settlement conference/prepare for day 2	MR	3.5		7	10.5
20140304	prepare for settlement conference/attend settmement conference/review CEA intervention request	MR	1.2		6	7.2
20140305	emails/review AMPCO Ltr	MR	0.4			0.4
20140306	review PO/emails/disc w JCS/prelim research re CEA proposed arguments	MR	1.4			1.4
20140307	emails	MR	0.2			0.2
20140309	emails	MR	0.1			0.1
20140310	emails/discussion w M. Miller/draft Ltr to CEA/research	MR	1.5			1.5
20140311	emails/edit and finalize draft Ltr to CEA	MR	0.7			0.7
20140313	review CEA corr/emails/research NCQ issue re: when does the 15 days begin, p. call w > M Helt	MR	1.5			1.5
20140314	emails/review PO/legal research re: copyright at Great Library	MR	4.0			4.0

20140318	emails/p. call w S. Griuce/discussion w JCS/p. call w M. Helt	MR	1.3			1.3
20140321	p. call w D. Crocker x 2/discussion w JCS	MR	0.5			0.5
20140324	review CEA motion material and NCQ filed/emails	MR	2.0			2.0
20140326	emails/p. call M. Helt	MR	0.5			0.5
20140327	emails/p. call J. Sidlofsly/dis w JCS/p. call w D. Crocker	MR	1.3			1.3
20140328	emails/disc w Saba re: FCA docs/p. call w. Chris Haussman/disc w JCS	MR	0.0		1.6	1.6
20140329	research/review cases cited in CEA arg/prepare and outline submissions	MR	4.5			4.5
20140331	review FCA factums rec re: copyright arg/p. call w M. Helt x 2/emails/discussions w JCS/p. call w R. Malcolmson/consider offer and revie	MR	3.5			3.5
20140401	many emails/p, call w J. Sidlofsky/disc w. Maureen Helt	MR	1.2			1.2
20140402	p. call w J. Sidlofsky/review settlement agreement/emails/review CEA Ltr and withdrawal of NCQ/draft letter to the Board/review JCS edi	MR	1.5		2	3.5
20140403	review and make substantial edits to settlement agreement/emails/review PO/review draft Oakville extention Ltr/review Oakville Ltr	MR	0.0		2.6	2.6
20140404	emails/review AMPCO edits/review Bd Ltr	MR	0.0		0.4	0.4
20140407	emails/review EP comments/dis w JCS	MR	0.0		0.5	0.5
20140408	emails/draft and edit submission on confidentiality/review AMPCO Ltr	MR	3.5			3.5
20140409	p. call w M. Helt/emails/file conf submissions/review staff sub	MR	0.5			0.5
20140410	emails	MR	0.2			0.2
20140411	review staff comments and edits	MR	0.0		0.5	0.5
20140415	emails/review conf submission/file redacted conf sub	MR	0.6			0.6
20140416	review and comment on second draft of settlement agreement/review other parties comments/review revised models	MR	0.0		1.5	1.5
20140417	review third draft and signoff	MR	0.0		0.5	0.5
20140424	review staff submission/emails	MR	0.0		0.1	0.1

20140428	emails	MR	0.1			0.1
			92.9	0.8	22.7	116.4