



Jay Shepherd

Professional Corporation
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BY EMAIL and RESS

August 7, 2014
Our File No. 20130187

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2013-0187/96/98 – Hydro One Norfolk MAADs – 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 this is our first time filing on the Board's new form. We have had to make some assumptions about the appropriate place to put certain work. In this claim we have put the work on the Motion for further answers under the heading "Other Conferences", and we have put the work associated with the confidentiality claims under the heading "Pre-Hearing Conferences".

This is also the first time SEC has filed including HST. After inquiries of the Board in July, we have been advised that this is the appropriate method of filing, given that the intervenor Ontario Education Services Corporation is an HST registrant.

The Board will also note that Jay Shepherd had primary responsibility for this matter. The role of Mark Rubenstein was limited to legal research, and related activities, in support of the issues of disclosure and procedure that arose in this proceeding, and assisting in final argument, particularly with respect to the interpretation of the "no harm" test. Allocating those time-intensive activities to a more junior lawyer has the effect of reducing the cost of the intervention.

This was an important proceeding, with significant precedential issues that could impact customers in many parts of the province. SEC believes that it was important to invest the



Jay Shepherd Professional Corporation

appropriate amount of time and effort to deal with these issues, and provide as much assistance to the Board as possible.

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 (yellow-shaded) 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 embedded in the form to assist with calculations.
- 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 lawyer, analyst/consultant and 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/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB-	2013-0187-0196-0198	Process:	Hydro One Norfolk MAADs
Party:	School Energy Coalition	Affiant's Name:	Jay Shepherd
HST Number:	83673-5464-RT0001	HST Rate Ontario:	13.00%
	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 **August-07-14**.
(date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2013-0187-0196-0198

Process: Hydro One Norfolk MAADs

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	40,188.00
Disbursements	\$	-
HST	\$	5,224.44
Total Cost Claim	\$	45,412.44

Payment Information

Make cheque payable to: Jay Shepherd Professional Corporation, in trust

Send payment to this address: 2300 Yonge Street
Suite 806
Toronto, Ontario
M4P1E4

Ontario Energy Board
COST CLAIM FOR HEARINGS
Affidavit and Summary of Fees and Disbursements



Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0187-0196-0198</u>	Process: <u>Hydro One Norfolk MAADs</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	1980	34
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: \$330
Analyst <input type="checkbox"/>		

For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): 13.0%
<input type="checkbox"/> CV provided within previous 24 months	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation	13.1	\$ 330.00	\$ 4,323.00	\$ 561.99	\$ 4,884.99
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	21.3	\$ 330.00	\$ 7,029.00	\$ 913.77	\$ 7,942.77
Responses	29.6	\$ 330.00	\$ 9,768.00	\$ 1,269.84	\$ 11,037.84
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	13.9	\$ 330.00	\$ 4,587.00	\$ 596.31	\$ 5,183.31
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	22.7	\$ 330.00	\$ 7,491.00	\$ 973.83	\$ 8,464.83
Attendance	8.2	\$ 330.00	\$ 2,706.00	\$ 351.78	\$ 3,057.78
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 35,904.00	\$ 4,667.52	\$ 40,571.52

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



File # EB- 2013-0187-0196-0198

Process: Hydro One Norfolk MAADs

Party: School Energy Coalition

Service Provider Name: Jay Shepherd

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier			\$ -
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2013-0187-0196-0198</u>	Process: <u>Hydro One Norfolk MAADs</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<div style="border: 1px solid black; padding: 2px; display: inline-block;">2011</div>	<div style="border: 1px solid black; padding: 2px; display: inline-block;">2</div>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$170</div>
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px; display: inline-block;">13.0%</div>
<input type="checkbox"/> CV provided within previous 24 months		

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation	3.8	\$ 170.00	\$ 646.00	\$ 83.98	\$ 729.98
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Responses		\$ 170.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
Argument					
Preparation	5.3	\$ 170.00	\$ 901.00	\$ 117.13	\$ 1,018.13
Oral Hearing					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	16.1	\$ 170.00	\$ 2,737.00	\$ 355.81	\$ 3,092.81
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 4,284.00	\$ 556.92	\$ 4,840.92

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2013-0187-0196-0198

Process: Hydro One Norfolk MAADs

Party: School Energy Coalition

Service Provider Name: Mark Rubenstein

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier			\$ -
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



Date	Explanation	Lwyr	Mark Rubenstein						Jay Shepherd					
			Prep	Tech	ADR	Hearing	Arg	Total	Prep	Tech	ADR	Hearing	Arg	Total
20130403	Review announcement, various emails	JCS							0.2					0.2
20130429	Review public information, review Norfolk data in RRR	JCS							1.0					1.0
20130531	review NoH/review application/emails	MR	1.5					1.5						
20130531	Review NOAH	JCS							0.2					0.2
20130611	Review and edit NO#1	JCS							0.4					0.4
20130702	Review rates data, various emails	JCS							0.3					0.3
20130703	Review PO#1 and scheduling	JCS							0.3					0.3
20130704	Many emails, review comparative billing data, revise spreadsheets	JCS							1.6					1.6
20130712	Review confidentiality submissions	JCS							0.4					0.4
20130713	Review evidence	JCS							2.0					2.0
20130715	Complete evidence review	JCS							3.6					3.6
20130719	Review staff submissions	JCS							0.4					0.4
20130720	Draft revise and file submissions, review submissions of others	JCS							3.8					3.8
20130726	Review reply submissions	JCS							0.3					0.3
20130729	review Norfolk and HONI submissions, SEC and Essex submissions, Norfolk and HONI reply sub	MR	1.0					1.0						
20130801	Many emails, draft and file declaration and undertaking, review PO#2	JCS							1.0					1.0
20130801	review PO #2	MR	0.2					0.2						
20130804	Review Norfolk submissions, various emails	JCS							0.3					0.3
20130805	review SEC Ltr/IRs/emails	MR	0.3					0.3						
20130805	Spreadsheets for rate analysis, detailed review of impacts, draft preliminary IRs and cover letter and file	JCS							4.2					4.2
20130806	Many emails, review PO#3	JCS							0.2					0.2
20130807	Many emails, review Norfolk letter	JCS							0.4					0.4
20130808	Review Hydro One objection, various emails, review Norfolk letter	JCS							0.2					0.2
20130812	Various emails, review letter, report to client	JCS							0.6					0.6
20130813	Telephone call with Joe Barile, many emails, review PO#4	JCS							0.5					0.5
20130814	Review Board letter, review Essex material, many emails	JCS							0.2					0.2
20130815	emails/review Bd Ltr/review Essex counsel Ltr	MR	0.5					0.5						
20130816	Further reporting, various emails	JCS							0.2					0.2
20130819	Review file, research, many emails, review confidential evidence	JCS							1.7					1.7
20130821	Review, draft and file submissions, many emails, review Essex submissions	JCS							1.6					1.6
20130828	Review reply submissions	JCS							1.2					1.2
20130829	Draft comment in reply, revise and file	JCS							1.0					1.0
20130830	Review Hydro One response	JCS							0.2					0.2
20130930	p. call w D. O'Leary/emails	MR	0.3					0.3						
20130930	Review PO and scheduling, many emails to co-ordinate with Dennis O'Leary	JCS							1.3					1.3

20131001	Various emails	JCS							0.1					0.1
20131007	Review filing from Hydro One and Norfolk	JCS							0.4					0.4
20131009	Review staff IRs	JCS							0.5					0.5
20131010	Review evidence, draft, revise and file IRs	JCS							3.4					3.4
20131011	Review utilities IRs and VECC IRs	JCS							0.4					0.4
20131014	Review CCC IRs	JCS							0.3					0.3
20131025	Review IR responses	JCS							0.5					0.5
20131027	Review IR responses	JCS							2.3					2.3
20131028	review IRR/send precedent material to JCS/email	MR	2.5					2.5						
20131028	Meeting with Mark Rubenstein, many emails, prepare motion materials	JCS							2.1					2.1
20131029	emails	MR	0.5					0.5						
20131029	Prepare Motion materials, many emails	JCS							9.1					9.1
20131030	review draft notice of motion/emails/discussion w JCS	MR	1.5					1.5						
20131030	Draft, edit and finalize Notice of Motion, many emails, meeting with Mark Rubenstein, Telephone call with Dennis O'Leary, prepare packag	JCS							6.2					6.2
20131031	review final notice of motion/emails	MR	0.5					0.5						
20131031	Review and file motion, many email, client report, review external info	JCS							2.6					2.6
20131101	Review Board letter, review EBN letter, many emails, telephone call with Dennis O'Leary	JCS							0.8					0.8
20131104	Many emails	JCS							0.4					0.4
20131105	Many emails, review PO#6 and scheduling, telephone call with Dennis O'Leary	JCS							0.6					0.6
20131106	review PO	MR	0.2					0.2						
20131109	Review filing, analysis of issues, various emails	JCS							0.7					0.7
20131112	review amended application	MR	1.2					1.2						
20131113	Review new evidence and motion, letter to Board, telephone call with Dennis O'Leary, many emails	JCS							1.4					1.4
20131118	review SEC Ltr	MR	0.2					0.2						
20131118	Draft and file submissions, many emails	JCS							1.4					1.4
20131119	Review EBN submissions, telephone call with Dennis O'Leary, many emails	JCS							0.5					0.5
20131121	review EBN Ltr	MR	0.2					0.2						
20131122	review HONI and Norfolk sub	MR	0.4					0.4						
20131122	Review Norfolk submissions	JCS							0.2					0.2
20131123	Draft and file reply submissions	JCS							1.6					1.6
20131127	Review PO	MR	0.2					0.2						
20131127	Various email, review PO#7 and scheduling	JCS							0.2					0.2
20131203	Many emails, summary of motion positions	JCS							0.5					0.5
20131208	Many emails	JCS							0.2					0.2
20131209	research no harm test	MR	1.5					1.5						
20131209	Reprint, index, research, many emails	JCS							2.4					2.4
20131210	research and draft no-harm test memo for JCS	MR	2.5					2.5						

20131210	Meeting with Mark Rubenstein, many emails, prepare for motion, research, review past decisions and policy	JCS							4.6					4.6
20131211	research and provide JCS w email memo re: legal issues for production motion/research re: legal questions from JCS	MR	3.0					3.0						
20131211	Prepare submissions, review evidence and motion materials, many emails, review cases, review Haldemend presentation and file, review Ma	JCS							5.4					5.4
20131212	Attend at hearing in motion, many emails, meeting with Dennis O'Leary, review transcript, review IR responses	JCS							8.2					8.2
20131213	review transcript/discussion w JCS re: legal scenerios that may flow from Board denial of motion	MR	1.2					1.2						
20140124	review PO and Motion Decision	MR	0.5					0.5						
20140124	Review decision on motion, scheduling	JCS							1.0					1.0
20140210	Review IR responses	JCS							1.0					1.0
20140214	Review EBN letter	JCS							0.1					0.1
20140218	Review PO#9 and scheduling	JCS							0.7					0.7
20140226	Review EBN filing, various emails	JCS							1.0					1.0
20140227	Review EBN evidence	JCS							0.4					0.4
20140228	review BDR expert report	MR	1.0					1.0						
20140311	Review IRs to EBN	JCS							0.3					0.3
20140325	Review EBN IR responses	JCS							1.0					1.0
20140404	review argument-in -chief	MR					0.8	0.8						
20140405	Review AICs, many emails	JCS											1.0	1.0
20140412	Review evidence, outline	JCS											1.5	1.5
20140413	Prepare spreadsheets, drafting arguments	JCS											3.3	3.3
20140414	Drafting, revising and filing argument, review submissions of others, many emails	JCS											7.1	7.1
20140415	review parties submissions/dis w JCS	MR					1.5	1.5						
20140415	Follow up submissions, client reporting	JCS							0.4					0.4
20140424	Review reply arguments	JCS											1.0	1.0
20140425	review reply submissions	MR					1.0	1.0						
20140703	Review decision, Prepare, revise and send report to client	JCS							2.0					2.0
20140703	review decision/dis w JCS/emails	MR	1.0					1.0						
20140729	Review draft tariff	JCS							0.7					0.7
			21.9				3.3	25.2	94.9				13.9	108.8