



Jay Shepherd

Professional Corporation
2300 Yonge Street,
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BY EMAIL and RESS

November 13, 2014
Our File No. 20130326

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

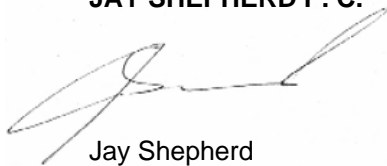
Re: EB-2013-0326 – Ontario Power Authority – SEC Cost Claim

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.

Mark Rubenstein of our office had carriage of this matter, and was actively involved in all aspects of the proceeding. The Board will note that several dockets refer to discussions with senior counsel Jay Shepherd. During our review of the claim, we have determined that, in this instance, Mr. Shepherd's approximately 4 hours consulting with and advising Mr. Rubenstein should not be claimed, as the quantum of the claim is appropriate without that inclusion.

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-	2013-0326	Process:	Ontario Power Authority
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, **Mark Rubenstein**, 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 _____,
(date)

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2013-0326 Process: **Ontario Power Authority**

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	13,787.00
Disbursements	\$	-
HST	\$	1,792.31
Total Cost Claim	\$	15,579.31

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>2013-0326</u>	Process: <u>Ontario Power Authority</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
<p>SERVICE PROVIDER TYPE (check one)</p> <p>Legal Counsel <input checked="" type="checkbox"/></p> <p>Articling Student/Paralegal <input type="checkbox"/></p> <p>Consultant <input type="checkbox"/></p> <p>Analyst <input type="checkbox"/></p>	
<p>Year Called to Bar: <u>2011</u></p>	
<p>Completed Years Practising/Years of Relevant Experience: <u>3</u></p>	
<p>Hourly Rate: <u>\$170</u></p>	
<p>For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months</p>	
<p>HST Rate Charged (enter %): <u>13.0%</u></p>	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation	-	\$ 170.00	\$ -	\$ -	\$ -
Attendance	-	\$ 170.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	-	\$ 170.00	\$ -	\$ -	\$ -
Attendance	-	\$ 170.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	9.2	\$ 170.00	\$ 1,564.00	\$ 203.32	\$ 1,767.32
Responses	4.0	\$ 170.00	\$ 680.00	\$ 88.40	\$ 768.40
Issues Conference					
Preparation	9.3	\$ 170.00	\$ 1,581.00	\$ 205.53	\$ 1,786.53
Attendance	-	\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	9.4	\$ 170.00	\$ 1,598.00	\$ 207.74	\$ 1,805.74
Attendance	21.4	\$ 170.00	\$ 3,638.00	\$ 472.94	\$ 4,110.94
Proposal Preparation	4.8	\$ 170.00	\$ 816.00	\$ 106.08	\$ 922.08
Argument					
Preparation	8.9	\$ 170.00	\$ 1,513.00	\$ 196.69	\$ 1,709.69
Oral Hearing					
Preparation	2.9	\$ 170.00	\$ 493.00	\$ 64.09	\$ 557.09
Attendance	4.5	\$ 170.00	\$ 765.00	\$ 99.45	\$ 864.45
Other Conferences					
Preparation	3.7	\$ 170.00	\$ 629.00	\$ 81.77	\$ 710.77
Attendance	3.0	\$ 170.00	\$ 510.00	\$ 66.30	\$ 576.30
Case Management					
Preparation	-	\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 13,787.00	\$ 1,792.31	\$ 15,579.31

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2013-0326

Process: Ontario Power Authority

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	Hours
20140304	preliminary review of application	MR	1.5
20140306	emails	MR	0.2
20140328	email	MR	0.1
20140407	review evidence/draft and file Nol/emails/discussion w JCS	MR	1.2
20140515	review evidence/consider issues list issues	MR	2.0
20140516	review submissions re: issues list/review OPA update	MR	1.6
20140519	emails/review EP submission	MR	0.1
20140520	emails/review EP sub	MR	0.2
20140522	review application	MR	2.0
20140527	review OPA reply arg/emails	MR	0.4
20140529	review application	MR	1.5
20140602	review application/draft IRs	MR	1.0
20140603	review issues list decision and PO/emails	MR	0.3
20140604	review application and draft IRs	MR	5.0
20140613	review corr	MR	0.1
20140616	draft cover letter/draft and edit IRs	MR	0.6
20140617	review other parties IRs/finalize and file IRs	MR	0.5
20140618	emails	MR	0.2
20140703	emails	MR	0.1
20140704	emails/p. call w M. Heinz/preliminary review of IRs/review VECC Ltr	MR	0.4
20140705	review IRRs	MR	3.5
20140706	prepare for settlement conference/review bd Ltr/p. call w M. Bell/p. call w C. Haussman/p. call w V. DeRose/emails/review AMPCO Ltr	MR	3.2
20140708	attend settlement conference/disc w JCS	MR	6.5
20140709	attend settlement conference/report to JCS	MR	6.4
20140710	emails	MR	0.2
20140711	emails	MR	0.3
20140714	emails/disc w JCS	MR	0.3
20140715	emails/review CME motion	MR	0.5
20140716	review PO/emails	MR	0.2
20140721	research/prepare for motion hearing/emails	MR	2.2
20140722	attend oral hearing/disc w JCS	MR	3.0
20140724	review motion decision/emails	MR	0.3
20140729	review IRR from motion decision	MR	0.5
20140730	emails/prepare for settlement conference day 3	MR	0.5
20140731	attend settlement conferences/disc w JCS	MR	5.5
20140806	emails/review draft settlement agreement	MR	0.7
20140808	emails/review final version of set agreement/review OPA corr	MR	0.4
20140811	disc w JCS/emails/p, call w F. Cass/p. call w M. Bell	MR	0.4
20140813	review OPA Ltr	MR	0.1
20140814	emails/review PO/review OPA corr	MR	0.4

20140818	emails/review PO	MR	0.2
20140819	emails/conferene call w. intervenors/p. call w M. Bell/review OPA corr/disc w JCS	MR	0.8
20140820	disc w all parties before hearing/attend hearing/disc w JCS	MR	2.5
20140821	emails	MR	0.2
20140822	email/review PO	MR	0.1
20140828	draft and send email re: settlement conference approch going forward	MR	0.4
20140829	review revised evidence	MR	0.3
20140902	emails	MR	0.1
20140904	p. call with A. Pye/prepare for settlement conference	MR	0.5
20140905	attend settlement conference/emails	MR	3.0
20140908	emails	MR	0.1
20140910	emails/disc w JCS/p. call w V. DeRose	MR	0.4
20140911	many emails/ p. call w. Chris Haussman/disc w JCS	MR	0.6
20140912	many emails/review PO	MR	0.4
20140913	emails	MR	0.5
20140915	emails/disc w C. Haussman/p. call w. Nancy Marconi/review OPA Ltr	MR	0.6
20140916	emails/disc w JCS/prep for hearing/p. call w. M. Bell	MR	0.8
20140917	emails/disc w JCS/p,call w M. Bell x 2/prepare for hearing/prepare compendium	MR	2.1
20140918	attend hearing and argument in chief/disc w parties	MR	4.5
20140925	review undertaking responses/emails	MR	0.3
20140929	p. call w M. Bell	MR	0.4
20141005	emails/prepare submissions	MR	2.0
20141006	prepare compendium/p. call w V.DeRose/prepare submissions for hearing/review hearing transcripts	MR	3.0
20141007	attend hearing (partial) /disc w parties/review transcript	MR	2.8
20141106	emails/review decision	MR	0.4
			81.1