



Jay Shepherd

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BY EMAIL and RESS

January 23, 2015
Our File No. 20140002

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2014-0002 – Horizon 2015-2019 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 apologize for filing late.

We note that while the undersigned Jay Shepherd took the lead on this matter, Mark Rubenstein of our office took the main responsibility for interrogatories (given that the timing overlapped with the OPG case), and also for the City of Hamilton motion. Because of our division of responsibility, we were able to avoid any duplication of effort.

This was a substantial application, one of the early applications based on Custom IR. Many of the key issues were the subject of a comprehensive settlement in which SEC was actively involved. In addition, there were complex cost allocation and rate design issues that had to be determined after an oral hearing, and SEC took an active role in that hearing.

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 (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-	2014-0002	Process:	Horizon 2015-2019 Rates
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 **January-23-15**.
(date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0002 Process: **Horizon 2015-2019 Rates**

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	51,750.00
Disbursements	\$	-
HST	\$	6,727.50
Total Cost Claim	\$	58,477.50

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>2014-0002</u>	Process: <u>Horizon 2015-2019 Rates</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1980"/>
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
Completed Years Practising/Years of Relevant Experience	<input type="text" value="34"/>
Hourly Rate:	<input type="text" value="\$330"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <input type="text" value="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	-	\$ 330.00	\$ -	\$ -	\$ -
Attendance	-	\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	29.3	\$ 330.00	\$ 9,669.00	\$ 1,256.97	\$ 10,925.97
Attendance	6.6	\$ 330.00	\$ 2,178.00	\$ 283.14	\$ 2,461.14
Interrogatories					
Preparation	7.4	\$ 330.00	\$ 2,442.00	\$ 317.46	\$ 2,759.46
Responses	6.1	\$ 330.00	\$ 2,013.00	\$ 261.69	\$ 2,274.69
Issues Conference					
Preparation	-	\$ 330.00	\$ -	\$ -	\$ -
Attendance	-	\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	8.0	\$ 330.00	\$ 2,640.00	\$ 343.20	\$ 2,983.20
Attendance	24.2	\$ 330.00	\$ 7,986.00	\$ 1,038.18	\$ 9,024.18
Proposal Preparation	18.8	\$ 330.00	\$ 6,204.00	\$ 806.52	\$ 7,010.52
Argument					
Preparation	5.3	\$ 330.00	\$ 1,749.00	\$ 227.37	\$ 1,976.37
Oral Hearing					
Preparation	6.0	\$ 330.00	\$ 1,980.00	\$ 257.40	\$ 2,237.40
Attendance	19.1	\$ 330.00	\$ 6,303.00	\$ 819.39	\$ 7,122.39
Other Conferences					
Preparation	6.7	\$ 330.00	\$ 2,211.00	\$ 287.43	\$ 2,498.43
Attendance	-	\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 45,375.00	\$ 5,898.75	\$ 51,273.75

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0002

Process: Horizon 2015-2019 Rates

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>2014-0002</u>	Process: <u>Horizon 2015-2019 Rates</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	<u>2011</u>
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
Completed Years Practising/Years of Relevant Experience	<u>3</u>
Hourly Rate:	<u>\$170</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <u>13.0%</u>
<input type="checkbox"/> CV provided within previous 24 months	

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	21.6	\$ 170.00	\$ 3,672.00	\$ 477.36	\$ 4,149.36
Responses	3.2	\$ 170.00	\$ 544.00	\$ 70.72	\$ 614.72
Issues Conference					
Preparation	1.5	\$ 170.00	\$ 255.00	\$ 33.15	\$ 288.15
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
Argument					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	11.2	\$ 170.00	\$ 1,904.00	\$ 247.52	\$ 2,151.52
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 6,375.00	\$ 828.75	\$ 7,203.75

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0002

Process: Horizon 2015-2019 Rates

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	MR	JCS
20140510	Review NOI	JCS		0.1
20140513	emails/discuss w JCS	MR	0.3	
20140513	Review notice, initial analysis of application and impacts, client report, meeting with Mark Rubenstein	JCS		2.0
20140514	review bill impact for GS>50 customers/emails	MR	1.9	
20140514	Review application, draft and file Notice of Intervention, many emails	JCS		1.3
20140521	Review NOA	JCS		0.1
20140609	emails/review PO/disc w JCS	MR	0.5	
20140609	Review PO#1 and scheduling, many emails, meeting with Mark Rubenstein	JCS		0.5
20140614	emails/review corr/review unredacted materials	MR	0.5	
20140618	review application	MR	1.5	
20140620	review application	MR	4.0	
20140622	review application/draft IRs	MR	2.5	
20140625	review application/draft IRs	MR	4.5	
20140703	review DSP, ACA/draft IRs/disc w JCS	MR	5.5	
20140703	Draft and send IRs, review evidence, many emails	JCS		2.4
20140704	complete IRs and file/edit and finalize/emails/draft cover letter/integrate JCS	MR	4.8	
20140704	Review IRs of others, many emails	JCS		1.0
20140705	review other parties IRs	MR	0.5	
20140709	emails/ p. call and follow up w. Indy B.	MR	0.3	
20140710	emails	MR	0.1	
20140731	review Hamilton Ltr/review PO/emails	MR	0.3	
20140731	Various emails, meeting with Mark Rubenstein, review evidence, review city correspondence and scheduling, review PO#2	JCS		1.2
20140801	emails/review IRR	MR	1.2	
20140801	Review IR responses	JCS		1.1
20140805	Many emails, scheduling	JCS		0.3
20140808	review PO	MR	0.2	
20140808	Review PO#3 and scheduling	JCS		0.3
20140810	Review IR responses	JCS		1.8
20140811	review IRR	MR	2.0	
20140811	Many emails, scheduling, review evidence, review HUC filing	JCS		1.7
20140812	find Labour in Motion material filed in other proceedings/disc w JCS	MR	0.3	

20140812	Many emails, review IR responses, sign and send declaration, prepare for TC, draft revise and file confidentiality submissions	JCS		4.6
20140813	emails	MR	0.1	
20140813	Review IR responses, prepare for TC, many emails, client reporting, review staff submissions	JCS		4.0
20140814	emails/review conf reply sub	MR	0.4	
20140814	emails/review SEC TC/disc w JCS	MR	0.5	0.5
20140814	Prepare and circulate efficiency table, many emails, review IR responses and TC questions of others, file TC question	JCS		6.1
20140815	Review IR responses and TC questions, review evidence of city, many emails, review benchmarking data, telephone call with PEG, review r	JCS		4.7
20140818	emails	MR	0.2	
20140818	Review draft Issues list, many emails, prepare doe technical conference	JCS		2.7
20140819	disc w JCS	MR	0.2	
20140819	Attend at Technical Conference, many emails, prepare for ADR, review written answers, review Hamilton responses, review transcript	JCS		8.6
20140820	emails/review final issues liust	MR	0.3	
20140820	Many emails re Issues List, provide comments	JCS		1.1
20140821	emails	MR	0.1	
20140821	Many emails, review PO#4, review TC notes	JCS		1.6
20140822	review Horizon notice of motion	MR	0.3	
20140822	Many emails, review submissions	JCS		0.3
20140825	Many emails, prepare for ADR	JCS		1.6
20140826	review CoH corr/emails	MR	0.3	0.3
20140826	Review TC undertakings, review Warner letter, review material from Niagara, many emails	JCS		1.3
20140827	Attend at ADR, many emails, review Cost Allocation/Rate Design	JCS		8.8
20140828	disc w JCS	MR	0.2	
20140828	Attend at ADR, many emails, review wording from Julie, review OMTA proposal, Variance a/c model, revenue models	JCS		10.7
20140829	disc w JCS	MR	0.2	
20140829	Attend at ADR, many emails, report to client	JCS		4.7
20140902	Telephone call with Mark Rodger	JCS		0.4
20140904	review City of Hamilton motion	MR	0.3	
20140905	Review PO#6, many emails	JCS		0.3
20140908	Review City Motion	JCS		0.4
20140909	Many emails, review proposal	JCS		0.4

20140911	Many emails	JCS		0.4
20140912	Many emails	JCS		0.6
20140913	Review agreement and edits	JCS		3.0
20140914	Revise settlement proposal and circulate, many emails	JCS		2.2
20140915	Many emails, review draft letter	JCS		0.3
20140916	Many emails, review comments of others	JCS		0.6
20140917	Review PO#7, many emails	JCS		0.2
20140918	emails	MR	0.2	
20140918	Various emails, review confidentiality decision	JCS		0.4
20140919	emails	MR	0.1	
20140919	Many emails, review capital variance, calculations and scenarios, telephone call with Jamie and Indy	JCS		1.7
20140920	emails	MR	0.2	
20140920	Edit agreement, review model and scheduling, many emails	JCS		5.8
20140921	Many emails, re-analysis of capital variance account	JCS		1.4
20140922	review correspondence	MR	0.2	
20140922	Many emails, review final draft, review letter, review models	JCS		1.9
20140923	emails/review correspondence	MR	0.2	
20140923	Many emails	JCS		0.3
20140924	emails	MR	0.2	
20140924	Many emails	JCS		0.3
20140925	emails/review corr	MR	0.3	
20140925	Many emails, review affidavit, review further filings	JCS		0.7
20140926	emails	MR	0.1	
20140926	Many emails, review Board letter, review parties letters, review CVs	JCS		0.5
20140927	Many emails, prepare for hearing	JCS		1.1
20140928	Prepare for hearing, cross outline	JCS		3.1
20140929	emails	MR	0.1	
20140929	Prepare for hearing, many emails, review staff submissions	JCS		1.6
20140930	Attend at hearing, many emails, review transcript	JCS		6.8
20141001	emails	MR	0.1	
20141001	Attend at Hearing (internet), many emails	JCS		1.8
20141006	Many emails, review City of Hamilton material	JCS		0.7
20141007	emails	MR	0.2	
20141007	Many emails	JCS		0.1
20141008	emails/review CoH submissions	MR	0.3	
20141008	Many emails, review submissions of others, prep for Hearing	JCS		1.4
20141009	disc w JCS	MR	0.2	

20141009	Attend at Hearing for Hamilton motion and presentation of settlement agreement, many emails	JCS		5.4
20141010	Attend at Hearing (internet) for final argument, many emails, review transcript, review U/T responses	JCS		3.3
20141016	emails	MR	0.1	
20141016	Prep final argument, many emails	JCS		2.2
20141017	emails	MR	0.1	
20141017	Attend at Hearing, final argument, many emails, review transcript, compile and file compendium	JCS		5.1
20141023	Review, reply argument transcript	JCS		1.0
20141027	review SEC Corr	MR	0.1	
20141027	Review cases, letter to Board, many emails	JCS		0.7
20141029	review decision on CoH moption	MR	0.2	
20141029	Review decision	JCS		0.3
20141104	Client reporting	JCS		0.4
20141211	review decision	MR	0.4	
20141211	Review decision	JCS		1.0
20141216	Various emails	JCS		0.1
20141217	Many emails	JCS		0.2
20141218	emails	MR	0.2	
20141219	Initial review of DRO, many emails	JCS		0.8
20141223	DRO review, many emails	JCS		3.2
	Totals		37.5	137.5