

#### **BY EMAIL and RESS**

April 28, 2015 Our File No. 20130416

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-2013-0416 - Hydro One Distribution 2015-2019 - 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.

On this complex matter, the work was split between counsel Mark Rubenstein, who handled capital and operating costs, as well as many of the preliminary and procedural matters, and counsel Jay Shepherd, who handled cost allocation, rate design, and a number of other specific areas. Final Argument and then the rate order were also the responsibility of Jay Shepherd. We believe this careful division of responsibility allowed SEC to maximize their contribution at the lowest possible cost.

All of which is respectfully submitted.

Yours very truly,

JAY SHEPHERD P. C.

Jay Shepherd

cc: Wayne McNally, SEC (email)

**Interested Parties** 

Tel: (416) 483-3300 Cell: (416) 804-2767 Fax: (416) 483-3305

jay.shepherd@canadianenergylawyers.com

www.canadianenergylawyers.com



#### **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.

				I	nstructions				
- All claims m - A separate Disbursemen However, on - The cost cla - A CV for each	"Detail "Detail Its Beir Iy one Iim mu ch cons	in Canadian of Fees and g Claimed") "Summary o st be suppor sultant/analy	d by yellow-shad dollars. If appli Disbursements I is required for e f Fees and Disbu ted by a comple est must be attac	cable, state e Rate: Being Claimed ach lawyer, ai rsements" co ted Affidavit s thed unless pr	xchange rate " (comprisin nalyst/consu vering the w signed by a re	e and country of g a "Statemen Itant and artic hole of the par epresentative of e Board as pre	of initial currence Country: t of Fees Being C ling student/par rty's cost claim s of the party. escribed on the C	y. Claimed" and alegal. hould be pro	a "Statement of ovided.
File # EB-	2013	-0416			Process:	Hydro One [	Ox Rates 2015-	2019	
Party:	Schoo	ol Energy C	oalition		Affi	ant's Name:	Jay Shepherd		
HST Numbe	er:	83673-546	64-RT0001			HST	Rate Ontario:	13.00%	
			ull Registrant Unregistered Other	✓ □		Qualify	ing Non-Profit Tax Exempt		
					Affidavit				
l,		Ja	y Shepherd		, of the Ci	ty/Town of		Toronto	
in the Prov	/ince/	State of	C	ntario			, swear or aff	irm that:	
2. I have exal Being Claime 3. The attach Disbursemen Ontario Ener 4. This cost c	mined and and and and and and and and and an	all of the do atement(s) o mmary of Fe gg Claimed" i rd process ro pes not inclu	bove-noted part cumentation in s of Fees Being Clai ees and Disburse nclude only cost eferred to above de any costs for 6.09 of the Board	upport of this med" and "St ments Being ( s incurred and work done, or	s cost claim, ratement(s) c Claimed", "St d time spent r time spent,	including the a of Disbursemen atement(s) of directly for th by a person tl	attached "Summ nts Being Claime Fees Being Clain e purposes of th	ary of Fees a d". ned" and "St e Party's par	nd Disbursements atement(s) of ticipation in the
Signature	of Aff	iant							
Sworn or a	affirm	ed before	me at the Cit	y/Town of		Tor	onto		,
in the Prov	/ince/	State of		Ontario		, on	April-28 (date		



#### **Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits** 

File # EB- 2013-0416 Process: Hydro One Dx Rates 2015-2019

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed							
Legal/consultant/other fees	\$	77,201.00					
Disbursements	\$	-					
HST	\$	10,036.13					
Total Cost Claim	\$	87,237.13					

#### **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



### Page 3 of 3



File # EB-	2013-0416	2013-0416			Process: Hydro One Dx Rates 2015-2019					
Party:	School Energy Coalition				Service P	rovider Name:	Jay Shepherd			
					Year Called to		Complete Practising/Yea			
	<b>SERVICE PROVIDER TYPE</b>	(che	ck one	e)	Bar		Exper	ience		
	Legal Counsel		<b>✓</b>		1980		3	5		
	<b>Articling Student/Paralegal</b>									
	Consultant						Hourly Rate:	\$330		
	Analyst						•		•	
	For Consultant/Analyst:			nttach provid	ed led within previo		narged (enter %):	13.0%		

Si	tatement o	of Fe	ees Being	Cla	imed		
	Hours	Но	ourly Rate		Subtotal	HST	Total
Pre-hearing Conference							
Preparation	2.3	\$	330.00	\$	759.00	\$ 98.67	\$ 857.67
Attendance	2.5	\$	330.00	\$	825.00	\$ 107.25	\$ 932.25
Technical Conference							
Preparation	7.8	\$	330.00	\$	2,574.00	\$ 334.62	\$ 2,908.62
Attendance	1.0	\$	330.00	\$	330.00	\$ 42.90	\$ 372.90
Interrogatories							
Preparation	12.3	\$	330.00	\$	4,059.00	\$ 527.67	\$ 4,586.67
Responses	1.5	\$	330.00	\$	495.00	\$ 64.35	\$ 559.35
Issues Conference							
Preparation	6.0	\$	330.00	\$	1,980.00	\$ 257.40	\$ 2,237.40
Attendance	0.0	\$	330.00	\$	-	\$ -	\$ -
ADR - Settlement Conference							
Preparation		\$	330.00	\$	-	\$ -	\$ -
Attendance	2.0	\$	330.00	\$	660.00	\$ 85.80	\$ 745.80
Proposal Preparation	0.0	\$	330.00	\$	-	\$ -	\$ -
Argument							
Preparation	23.7	\$	330.00	\$	7,821.00	\$ 1,016.73	\$ 8,837.73
Oral Hearing							
Preparation	12.8	\$	330.00	\$	4,224.00	\$ 549.12	\$ 4,773.12
Attendance	6.0	\$	330.00	\$	1,980.00	\$ 257.40	\$ 2,237.40
Other Conferences							
Preparation	7.9	\$	330.00	\$	2,607.00	\$ 338.91	\$ 2,945.91
Attendance	3.9	\$	330.00	\$	1,287.00	\$ 167.31	\$ 1,454.31
Case Management		\$	170.00	\$	-	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES				\$	29,601.00	\$ 3,848.13	\$ 33,449.13



File# EB-	2013-0416	<b>Process:</b>	Hydro One Dx	Rates 2015-2019
Party:	School Energy Coalition	Service Provi	der Name:	lay Shenherd

	Statement of Disbursements Being Claimed								
		Net Cost	HST	Tot	al				
Scanning/Photocop	у			\$	-				
Printing				\$	-				
Courier				\$	-				
Telephone/Fax				\$	-				
Transcripts				\$	-				
Travel: Air				\$	-				
Travel: Car				\$	-				
Travel: Rail				\$	-				
Travel (Other):				\$	-				
Parking				\$	-				
Taxi				\$	-				
Accommodation				\$	-				
Meals				\$	-				
Other:				\$	-				
Other:				\$	-				
Other:				\$	-				
TOTAL DISBURSEME	NTS:	\$ -	\$ -	\$	-				





File # EB-	2013-0416	013-0416			Process: Hydro One Dx Rates 2015-2019					
Party:	School Energy Coalition			Service Pr	rovider Name:	Mark Rubenstein				
				Year Called to		Complete Practising/Yea				
	SERVICE PROVIDER TYPE	(che	ck one	Bar		Experi	ience	_		
	Legal Counsel		✓	2011		3	}			
	Articling Student/Paralegal									
	Consultant					Hourly Rate:	\$170			
	Analyst					_		•		
	For Consultant/Analyst:		CV at	ttached	HST Rate Ch	narged (enter %):	13.0%			
			CV pr	rovided within previo	us 24 months					

Si	tatement o	of Fe	ees Being	Cla	imed		
	Hours	Но	urly Rate		Subtotal	HST	Total
Pre-hearing Conference			-				
Preparation		\$	170.00	\$	-	\$ -	\$ -
Attendance		\$	170.00	\$	-	\$ -	\$ -
Technical Conference							
Preparation	28.0	\$	170.00	\$	4,760.00	\$ 618.80	\$ 5,378.80
Attendance	26.0	\$	170.00	\$	4,420.00	\$ 574.60	\$ 4,994.60
Interrogatories							
Preparation	29.8	\$	170.00	\$	5,066.00	\$ 658.58	\$ 5,724.58
Responses	9.9	\$	170.00	\$	1,683.00	\$ 218.79	\$ 1,901.79
Issues Conference							
Preparation	16.8	\$	170.00	\$	2,856.00	\$ 371.28	\$ 3,227.28
Attendance	3.0	\$	170.00	\$	510.00	\$ 66.30	\$ 576.30
ADR - Settlement Conference							
Preparation	6.7	\$	170.00	\$	1,139.00	\$ 148.07	\$ 1,287.07
Attendance	3.0	\$	170.00	\$	510.00	\$ 66.30	\$ 576.30
Proposal Preparation		\$	170.00	\$	-	\$ -	\$ -
Argument							
Preparation	47.5	\$	170.00	\$	8,075.00	\$ 1,049.75	\$ 9,124.75
Oral Hearing							
Preparation	63.8	\$	170.00	\$	10,846.00	\$ 1,409.98	\$ 12,255.98
Attendance	37.7	\$	170.00	\$	6,409.00	\$ 833.17	\$ 7,242.17
Other Conferences							
Preparation	7.8	\$	170.00	\$	1,326.00	\$ 172.38	\$ 1,498.38
Attendance		\$	170.00	\$	-	\$ -	\$ -
Case Management		\$	170.00	\$	-	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES				\$	47,600.00	\$ 6,188.00	\$ 53,788.00



### **Detail of Fees and Disbursements Being Claimed**

File # EB-	2013-0416	<b>Process:</b>	Hydro One Dx	Rates 2015-2019		
Party:	School Energy Coalition	Service Provider Name:		Mark Rubenstein		

Statem	ent of Disbursements Being Claim	ea	_	
	Net Cost	HST	Total	
Scanning/Photocopy			\$ .	-
Printing			\$ .	-
Courier			\$ .	-
Telephone/Fax			\$ .	-
Transcripts			\$ .	-
Travel: Air			\$ .	-
Travel: Car			\$ .	-
Travel: Rail			\$ .	-
Travel (Other):			\$ .	-
Parking			\$ .	-
Тахі			\$ .	-
Accommodation			\$ .	-
Meals			\$ .	-
Other:			\$ .	-
Other:			\$ .	-
Other:			\$ .	-
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ .	-



Date	Explanation	Lwyr	MR	JCS
20130516	Review consultation materials, various emails	JCS		0.8
20130620	Many emails	JCS		0.2
20130625	Review slide deck and analysis, review agenda, various emails	JCS		0.8
20130912	Many emails, review RFP	JCS		0.1
20131009	Review agenda	JCS		0.2
20131016	Attend at stakeholder session (part), review materials	JCS		2.7
20131114	review notice and undertaking, analysis and response	JCS		0.7
20131115	Many emails	JCS		0.2
20131116	Various emails	JCS		0.2
20131119	Many emails	JCS		0.2
	preliminary rev of application/discussion w JCS/emails re:			
20131220	client preliminary impact assessment	MR	3.0	
	Review application, meeting with Mark Rubenstein,			
20131220	preliminary impact analysis, client report	JCS		2.6
	review stakeholder meeting notes/review ICM settlement			
20140103	agreement/review 2009-0096 decision	MR	2.5	
20140106	review application	MR	2.5	
20140124	review LoD	MR	0.1	
20140131	review updated evidence	MR	1.5	
20140205	review material and draft, finalize and file NoI	MR	0.8	
20140207	emails	MR	0.2	
20140207	Review Notice of Application	JCS		0.1
20140210	research re capital expert	MR	1.3	
20140210	Various emails	JCS		0.1
20140220	review HONI Ltr/emails/disc w JCS	MR	0.6	
20140220	Review #1 submissions, various emails	JCS		0.4
20140221	emails	MR	0.1	
20140227	Many emails, review possible experts	JCS		0.3
20140301	Various emails	JCS		0.2
20140305	emails	MR	0.1	
20140306	emails/review application/draft process Ltr	MR	3.8	
20140308	emails	MR	0.1	
20140308	Revise/edit procedural letter, various emails	JCS		0.8
20140310	draft, edit and file SEC Ltr re: process/emails	MR	1.0	
20140314	emails/review PO	MR	0.4	
20140314	Review PO#1 and scheduling	JCS		0.3
20140316	review application	MR	1.0	
20140317	emails	MR	0.2	
20140317	review application	MR	1.2	
20140319	review PO	MR	0.1	
	Review PO#2 and scheduling	JCS		0.2
20140327		MR	0.1	
20140327	Review information on technical conferences	JCS		0.1

20140331	emails	MR	0.1	
20140402		MR	0.1	
	Detailed analysis to Marie Dioso, many emails	JCS		1.5
	Many emails	JCS		0.4
	review evidence	MR	2.5	
20140406	review evidence	MR	2.4	
	review evidence	MR	3.0	
	emails/prepare for TC/review other parties are of interest	MR	1.5	
	emails/review Bd Ltr/prepare for TC	MR	2.2	
	attend Technical Conference/dis w JCS	MR	6.8	
20140415	·	MR	0.3	
	review staff issues to be discussed/review materials/prepare			
20140421		MR	1.8	
	prepare for TC	MR	0.5	
20140423		MR	6.0	
	review transcript	MR	0.3	
	review matreial for 3rd TC/review density and CA issues from			
20140426	previous proceedings	MR	4.6	
20110120	review CME and HONI issues to dis/review and research	IVIIV		
20140428	density and CA issues	MR	1.2	
20110120	emails/review TC issues letter/review Staff draft issues	1411		
20140429	list/prepare for TC and issues conference	MR	2.2	
	attend TC and issues conference	MR	7.0	
	Many emails, review presentation	JCS	7.0	0.4
	review revised issues list/emails	MR	0.4	
20140508	·	MR	0.1	
20140509		MR	0.2	
	Many emails, review materials	JCS	0.2	0.5
20110310	prepare for issues day/prepareRRFE extract and	700		0.5
20140511	benchmarking question	MR	0.5	
20110311	Prepare for Exec presentation and issues day, many emails,	IVIIV	0.5	
20140511	review evidence	JCS		1.2
20110311	provide material and brief JCS re: issues day/review transcript			
20140512	of oral hearing	MR	0.8	
20110312	Attend at hearing for Exec presentation, issues meeting, edit	IVIIV	0.0	
	issues list, meeting with Mark Rubenstein, review transcript,			
20140512	many emails	JCS		4.1
	review transcript/review JCS notes from hearing/disc w	700		
	JCS/emails	MR	1.0	
	Review Hydro One submissions	JCS	1.0	0.3
	review PO and issues list decision/emails	MR	0.4	0.5
	Review decision and PO, scheduling	JCS		0.3
	tierieri decision ana i e) senedaning			0.5
20140522	review application and draft IRs	MR	ก ผ	J
	review application and draft IRs review materials/research/draft IRs	MR MR	0.6 2.5	

201/10528	review application/draft arg	MR	1.5	
20140528		MR	1.2	
-	review evidence update	MR	1.8	
20140602	·	MR	0.3	
	Review update, many emails	JCS	0.5	1.0
	review updated application./draft IRs/review original CAM	MR	3.0	1.0
L	Telephone call with LDCs, many emails	JCS	3.0	1.0
20140003	Review personal info, meeting with Mark Rubenstein, many	103		1.0
20140604	, , , , , , , , , , , , , , , , , , , ,	JCS		1.4
20140605		MR	0.2	1.4
	Many emails	JCS	0.2	0.2
	review application.draft IRs/review updates/emails	MR	0.6	0.2
20140610		MR	0.3	
	review Staff IRs/emails	MR	0.5	
20140011	Various emails, review staff IRs, review Mark Rubenstein's	IVIIX	0.5	
20140611		JCS		1.1
20140611		MR	0.3	1.1
	Review cost allocation and rate design evidence	JCS	0.5	12
	Prepare IRs, many emails, review IRs of others	ICS		4.3 3.0
	review other parties IRs/emails	MR	1.5	3.0
	emails/review OFA 'evidence' and underlying material	MR	2.5	
	preliminary review of IRR	MR	0.7	
	·			
	review IRR/emails Review IR responses, many emails	MR JCS	1.3	1.1
	disc w JCS	<b>.</b>	0.2	1.1
		MR		
	p. call w H. Theisen/emails emails/disc w JCS	MR	0.3 0.5	
	· · · · · · · · · · · · · · · · · · ·	MR	0.3	
	emails/disc w JCS	MR		
20140715	emails/p. call w J. Lea	MR	0.3	
204 4074 6	p. call w J. Lea/emails/review confidential material/review	1 4 D	4.0	
	- 1	MR	1.8	0.4
20140/16	Many emails	JCS		0.4
20440747	review IR responses/draft and file technical conference issues			
20140/1/	Ltr/emails/review corr/emails	MR	5.2	
	prepare for technical conference/review IRRs/emails/review			
	Staff issues	MR	2.0	
	prepare for technical conference	MR	2.0	
	attend technical conference/emails	MR	8.5	
20140722	attend technical conference	MR	1.5	
20140722		MR	2.0	
	intervenor meeting/intervenor meeting w HONI/disc with			
	parties/review PO/emails	MR	4.5	
	emails/review corresponence	MR	0.4	
20140725	emails/review Hamilton corr	MR	0.2	

20140727	emails/draft notice of motion	MR	1.5	
	emails/disc w other parties/draft motion/disc w JCS/p. call w.			
20140728	S. Frank re: confidentiality issues	MR	2.5	
	attend settlement conference	MR	3.0	
	Attend at settlement conference for cost allocation and rate			
	design issues, many emails, meeting with Mark Rubenstein,			
20140728	meeting with Sab	JCS		3.6
20110720	edit and finalize motion/draft cover letter/prepare	303		3.0
	appendicies/finalize and file/emails/review HONI draft letters			
20140729	on settlement and he	MR	3.0	
20110723	Many emails, complete comparison model, meeting with	IVIIV	3.0	
20140729	Mark Rubenstein re Motion	JCS		1.3
	emails/review HONI corr	MR	0.2	1.5
	review PO/review HONI Itr	MR	0.2	
	review HONI reply sub	MR	0.2	
	review HONI sub/draft reply sub	MR	2.3	
	disc w JCS/edit, finalize and file reply submissions	MR	0.5	
	Review reply submissions and edit, many emails	JCS	0.5	0.4
	review decision on motion	MR	0.3	0.4
	prepae plan for hearing preperation/review materials	MR	1.5	
	emails/prepare for hearing/disc w JCS	MR	3.7	
	prepare for hearing/disc w JCS/emails	MR	2.0	
20140303	emails/disc w JCS/conf call w intervenors/prepare for	IVIIX	2.0	
20140904	hearing/review CoH motion	MR	4.2	
	Many emails, send benchmarking table	JCS		0.4
	prepare for hearing/disc w S. Grice/conf call w			
20140905	intervenrs/review witness list	MR	3.5	
	emails/prepare for hearing and draft panel 1 cross/review			
20140906	past proceedings	MR	6.5	
	prepare for hearing/prepare panel 1 cross-			
20140907	examination/emails/prepare compendium	MR	3.0	
	attend oral hearing	MR	7.0	
	emails/review transcript/prepare for panel 2	MR	4.5	
	Many emails	JCS		0.1
20140909	attend hearing	MR	7.5	
20140909	prepare for panel 2/review transcript/emails	MR	3.6	
	prepare for panel 2 and 3/p. call w.V. DeRose/emails/disc w			
20140910	JCS	MR	4.5	
20140910	Many emails	JCS		0.2
20140911	attend hearing	MR	7.5	
20140911	prepare for next day	MR	1.0	
	May emails, review transcript, review City of Hamilton			
20140911		JCS		1.1
	attend hearing	MR	7.7	
	meeting w S. Grice re: panel 3 cross	MR	1.2	

20140912	Prepare for City motion, many emails, attend at hearing	JCS		2.8
	emails/meeting w S. Grice at AMPCO office re: panel			
	3/review materials and papre for panel 3/draft cross-			
20140913	examination for panel 3	MR	6.0	
	·			
20140914	emails/prepare and draft panel 3 cross/prepare compendium	MR	4.8	
20140915	attend hearing	MR	8.0	
20140916	emails/disc w JCS	MR	0.5	
20140916	Prepare for Panel 4 cross, many emails	JCS		8.3
20140917	disc w JCS/review undertaking responses/emails	MR	1.8	
20140917	Attend at hearing (Panel 4 cross), many emails, prepare	JCS		7.2
20140919	emails/review undertakings	MR	0.4	
20140919	Many emails	JCS		0.1
20140921	Many emails	JCS		0.2
20140922	emails	MR	0.1	
20140923	emails	MR	0.1	
20140924	review HONI Argument-in-Chief transcript/emails	MR	0.7	
20140924	Review argument in chief, scheduling	JCS		1.0
20140930	review transcripts/consider positions	MR	2.0	
	review evidence, transcript and prepare argument			
20141001	outline/emails/conference call with intervenors	MR	4.5	
20141002	draft argument	MR	3.6	
	draft argument	MR	5.0	
20141004	draft argument	MR	3.4	
20141005	draft argument	MR	5.0	
20141005	Review material for final argument	JCS		1.3
20141007	emails/review staff argument	MR	1.3	
20141008	draft argument/emails	MR	4.5	
	Meeting with Mark Rubenstein, review staff submissions	JCS		2.3
20141009	draft arguments/emails	MR	2.5	
	draft argument/research/review transcript/p. call w S. Grice	MR	4.0	
20141010	Review Mark Rubenstein's draft	JCS		1.0
	draft argument/research/emails/prepare rate chart appendix		3.6	
	Analysis and outline	JCS		1.5
	draft and edit argument	MR	6.0	
	draft argument/edit/emails	MR	3.0	
20141014	Many emails, review issues, outline	JCS		3.0
	emails/edit, footnote, finalize and file argument/review other			
20141015		MR	5.0	
	Drafting and revising argument, many emails, meeting with			
	Mark Rubenstein	JCS		6.5
	reviw parties final arguments	MR	1.5	
20141016	Review final arguments	JCS		1.7

20141027	Review reply argument	JCS		1.8
20141218	emails/review interim order	MR	0.2	
20150310	emails/review Bd orr	MR	0.1	
20150312	review decision/emails/disc w JCS	MR	1.5	
20150312	Review decision, reporting, calculate impacts, many emails	JCS		2.0
20150325	review DRO/emails	MR	0.2	
20150326	Review DRO filing, many emails	JCS		2.1
20150331	emails	MR	0.1	
20150331	Review DRO materials	JCS		0.5
20150401	Rview DRO, Technical Conference, Many emails	JCS		2.7
20150402	Many emails	JCS		0.1
20150404	Impact Analysis and report	JCS		0.4
	Many emails, Review additional information, Letter of			
20150406	comment, Spreadsheet, Review comments of others	JCS		2.2
20150410	Review final DRO, Many emails	JCS		0.5
			280.0	89.7