



Jay Shepherd

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BY EMAIL and RESS

May 19, 2015
Our File No. 20140073

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2014-0073 – Festival 2015 Rates – SEC Cost Claim

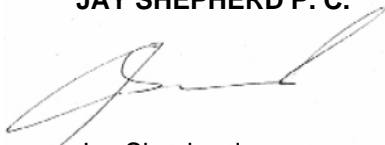
We are counsel for the School Energy Coalition. We enclose the cost claim of the School Energy Coalition, on the Board's form and enclosing docket details.

Because of scheduling, particularly of other proceedings, SEC took a different approach to handling of this matter. Counsel Jay Shepherd had primary carriage, and looked after interrogatories, technical conference, and ADR, including finalizing the settlement of most issues. However, when it came to the oral hearing and argument, he handed off to counsel Mark Rubenstein, who did almost all of the work on that phase, with some editing and other assistance at the end.

The Board will see from the dockets that there was almost no overlap as a result of the handover, and the process was carried out in an efficient manner..

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-	2014-0073	Process:	Festival 2015 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 **May-19-15**.
(date)

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0073

Process: Festival 2015 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	24,080.00
Disbursements	\$	-
HST	\$	3,130.40
Total Cost Claim	\$	27,210.40

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>2014-0073</u>	Process: <u>Festival 2015 Rates</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</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>	
Year Called to Bar	Completed Years Practising/Years of Relevant Experience
<u>1980</u>	<u>35</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached	Hourly Rate: <u>\$330</u>
<input type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): <u>13.0%</u>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	4.0	\$ 330.00	\$ 1,320.00	\$ 171.60	\$ 1,491.60
Attendance	3.0	\$ 330.00	\$ 990.00	\$ 128.70	\$ 1,118.70
Interrogatories					
Preparation	16.0	\$ 330.00	\$ 5,280.00	\$ 686.40	\$ 5,966.40
Responses	2.5	\$ 330.00	\$ 825.00	\$ 107.25	\$ 932.25
Issues Conference					
Preparation	2.6	\$ 330.00	\$ 858.00	\$ 111.54	\$ 969.54
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	2.9	\$ 330.00	\$ 957.00	\$ 124.41	\$ 1,081.41
Attendance	8.4	\$ 330.00	\$ 2,772.00	\$ 360.36	\$ 3,132.36
Proposal Preparation	4.7	\$ 330.00	\$ 1,551.00	\$ 201.63	\$ 1,752.63
Argument					
Preparation	3.8	\$ 330.00	\$ 1,254.00	\$ 163.02	\$ 1,417.02
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	2.3	\$ 330.00	\$ 759.00	\$ 98.67	\$ 857.67
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 16,566.00	\$ 2,153.58	\$ 18,719.58

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0073

Process: Festival 2015 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>2014-0073</u>	Process: <u>Festival 2015 Rates</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>	
Year Called to Bar	Completed Years Practising/Years of Relevant Experience
<u>2011</u>	<u>3</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached	Hourly Rate: <u>\$170</u>
<input type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): <u>13.0%</u>

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		\$ 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	17.3	\$ 170.00	\$ 2,941.00	\$ 382.33	\$ 3,323.33
Oral Hearing					
Preparation	16.9	\$ 170.00	\$ 2,873.00	\$ 373.49	\$ 3,246.49
Attendance	10.0	\$ 170.00	\$ 1,700.00	\$ 221.00	\$ 1,921.00
Other Conferences					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 7,514.00	\$ 976.82	\$ 8,490.82

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2014-0073

Process: Festival 2015 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	JCS	MR
20140731	Draft and file NOI, meeting with Mark Rubenstein, review evidence, review PO#1 and scheduling	JCS	2.2	
20140806	Review evidence, meeting with Randy Aiken	JCS	5.5	
20140807	Complete evidence review, draft revise and file IRs, many emails	JCS	6.1	
20140808	Review IRs of others, many emails	JCS	0.5	
20140814	Prepare and circulate efficiency table, draft and file supplementary IR. many emails	JCS	0.7	
20140828	Review IR responses	JCS	0.5	
20140903	Review evidence	JCS	2.0	
20140904	Review evidence, many emails	JCS	2.7	
20140909	Review staff questions	JCS	0.3	
20140910	Prepare for technical conference, many emails	JCS	1.0	
20140911	Attend at technical conference, many emails, prepare draft issues list, review responses	JCS	4.6	
20140912	Review issues list decision, many emails	JCS	0.4	
20140925	Review Issues List decision, review responses to undertaking	JCS	0.6	
20140926	Prepare for ADR	JCS	1.2	
20140929	Attend at ADR, many emails, review evidence and alternative options	JCS	8.7	
20140930	Attend at ADR, many emails	JCS	1.4	
20141008	Many emails, review agreement	JCS	0.1	
20141015	Many emails	JCS	0.1	
20141016	Review and edit agreement, many emails	JCS	1.6	
20141017	Many emails	JCS	0.2	
20141018	Many emails	JCS	0.2	
20141020	Various emails	JCS	0.1	
20141021	Many emails, review new draft	JCS	1.0	
20141022	Final agreement review, many emails, review letter	JCS	1.4	
20141023	Many emails	JCS	0.1	
20141024	review PO	MR		0.2
20141024	Review PO#2	JCS	0.1	
20141030	review application/IRs/settlement agreement/emails	MR		1.0
20141031	emails	MR		0.3
20141103	review settlement agreement and unsettled issues/disc w JCS re: preliminary position	MR		1.0
20141105	emails	MR		0.3
20141106	emails	MR		0.3
20141107	emails/review record to prepare for hearing	MR		1.8
20141110	review evidence and record/p. call w S. Grice/conference call w all parties re: hearing plan/review additional evidence filed	MR		3.5
20141110	Many emails	JCS	0.2	
20141111	emails/prepare for hearing/review materials/send 24hr rule material to Festival	MR		2.5
20141112	prepare cross/emails/p. call w S.Grice/prepare comendium/review materials	MR		3.5
20141113	meeting w intervenors to discuss hearing issues/attend hearing/meeting with intervenors after hearing re: true-up process issues/emails	MR		8.5
20141114	attend hearing/emails/disc w parties	MR		4.0
20141114	Review transcript	JCS	1.8	

20141118	Review u/t responses	JCS	0.6	
20141119	review undertaking responses/emails/draft arg/review transcript	MR		2.0
20141120	draft argument	MR		2.5
20141121	draft argument/emails	MR		2.0
20141124	draft argument/review staff argument/emails	MR		3.5
20141124	Many emails, review staff submissions	JCS	0.6	
20141125	emails/draft argument/review AMPCO and EP partial drafts	MR		4.0
20141125	Review draft, review EP argument	JCS	1.0	
20141126	edit, revise, file argument/review other parties arg	MR		2.5
20141126	Review submissions	JCS	0.4	
20141203	review reply arg/emails	MR		0.8
20150505	Review decision	JCS	1.0	
20150508	Review draft rate order and EP comments	JCS	0.8	
20150512	Review DRO submissions	JCS	0.5	
			50.2	44.2