



Jay Shepherd

Professional Corporation
2300 Yonge Street,
Suite 806
Toronto, Ontario M4P 1E4

BY EMAIL and RESS

July 6, 2015
Our File No. 20140072

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2014-0072 – Essex Powerlines 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.

This was an unusual case in which SEC was involved primarily because of the issue of retroactivity and its impact on errors benefitting and costing different groups of customers. The lead on the file was junior counsel Mark Rubenstein, who took primary responsibility for the oral hearing. The bulk of the work was two sets of written submissions, in which senior counsel Jay Shepherd also took an active role, given the importance of the general issue.

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-	2014-0072	Process:	Essex Powerlines 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 July-07-15.
(date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2014-0072

Process: Essex Powerlines 2015 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	7,947.00
Disbursements	\$	-
HST	\$	1,033.11
Total Cost Claim	\$	8,980.11

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>2014-0072</u>	Process: <u>Essex Powerlines 2015 Rates</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	35
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		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	9.4	\$ 330.00	\$ 3,102.00	\$ 403.26	\$ 3,505.26
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 3,102.00	\$ 403.26	\$ 3,505.26

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



File # EB- 2014-0072

Process: Essex Powerlines 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>2014-0072</u>	Process: <u>Essex Powerlines 2015 Rates</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"/>	2011	3	
Articling Student/Paralegal <input type="checkbox"/>			
Consultant <input type="checkbox"/>			Hourly Rate: \$170
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		\$ 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	19.1	\$ 170.00	\$ 3,247.00	\$ 422.11	\$ 3,669.11
Oral Hearing					
Preparation	5.4	\$ 170.00	\$ 918.00	\$ 119.34	\$ 1,037.34
Attendance	4.0	\$ 170.00	\$ 680.00	\$ 88.40	\$ 768.40
Other Conferences					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 4,845.00	\$ 629.85	\$ 5,474.85

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



File # EB- 2014-0072

Process: Essex Powerlines 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
20150210	review material disc w JCS	MR		0.6
20150211	US case law research at Great Library	MR		1.0
20150212	research emails/emails	MR		1.2
20150213	Meeting with Mark Rubenstein re positions	JCS	0.3	
20150219	draft argument/review US cases	MR		2.2
20150220	emails/p. call w. S. Grice/draft argument	MR		1.2
20150221	draft submissions	MR		3.5
20150223	edit, finalize and file submission/review Staff and EP submission	MR		0.4
20150223	Review and revise submissions, review cases, meeting with Mark Rubenstein, review staff submissions	JCS	2.8	
20150226	p. call w Scott Stoll/emails/review letter/disc w JCS	MR		0.5
20150309	emails/review Essex reply	MR		0.4
20150325	review decision/disc w JCS	MR		0.3
20150327	disc w S. Grice/emails/finalize and file questions/p. call w S. Stoll	MR		0.5
20150407	review IRs/review confidentiality Ltr	MR		0.6
20150408	emails/p. call w Birgid Armstrong/p. call w R. Lanni/p. call w. S. Stoll/p.call w R. Aiken	MR		1.0
20150410	emails/review PO/review witnesses CVs/disc w JCS/sign and file D&U/review confidential material	MR		1.0
20150410	Review PO#4, scheduling, meeting with Mark Rubenstein, many emails	JCS	0.3	
20150413	emails/prepare for hearing	MR		2.0
20150413	Review material, meeting with Mark Rubenstein	JCS	0.3	
20150414	attend oral hearing/emails/p. call w. R. Aiken	MR		4.0
20150414	Attend at hearing (internet)	JCS	2.0	
20150415	emails	MR		0.1
20150421	emails/review corr/review UT responses	MR		0.3
20150423	review A-in-C	MR		0.6
20150423	Review Essex submissions	JCS	0.3	
20150426	draft final argument/review UT responses/emails	MR		4.5
20150426	Various emails, review default issue	JCS	0.2	
20150428	Review additional material, meeting with Mark Rubenstein	JCS	0.3	
20150430	finalize and file sub/review other parties sub	MR		1.0
20150430	Detailed edit, various emails, review staff & VECC submissions	JCS	1.6	
20150507	review reply argument	MR		0.6
20150609	review decision/emails/disc w JCS	MR		0.8
20150609	Review decision, meeting with Mark	JCS	1.0	
20150612	emails	MR		0.1
20150612	Review rate order materials	JCS	0.3	
20150618	emails	MR		0.1
			9.4	28.5