



Jay Shepherd

Professional Corporation
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BY EMAIL and RESS

January 6, 2016
Our File No. 20150166

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2015-0166/175 – Union/Enbridge NEXUS – 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 primary carriage of this matter, and was involved in all aspects of the proceeding. SEC has not claimed in this proceeding for approximately 1.4 hours of supervisory time by senior counsel Jay Shepherd, but has claimed 1.8 hours spent by Mr. Shepherd assisting with the drafting and editing of final argument.

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-	2015-0166 and EB-2015-0175	Process:	Union/Enbridge NEXUS
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-06-16.
(date)

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2015-0166 and EB-2015-0175 **Process:** Union/Enbridge NEXUS

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	12,273.00
Disbursements	\$	-
HST	\$	1,595.49
Total Cost Claim	\$	13,868.49

Payment Information

Make cheque payable to: Jay Shepherd Professional Corporation, in trust

Send payment to this address: 2200 Yonge Street
Suite 1302
Toronto, Ontario
M4S2C6

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>2015-0166 and EB-2015-0175</u>	Process: <u>Union/Enbridge NEXUS</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
<p>SERVICE PROVIDER TYPE (check one)</p> <p> <input checked="" type="checkbox"/> Legal Counsel <input type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst </p>	
Year Called to Bar	Completed Years Practising/Years of Relevant Experience
<input type="text" value="1980"/>	<input type="text" value="35"/>
<p>For Consultant/Analyst: <input type="checkbox"/> CV attached HST Rate Charged (enter %): <input type="text" value="13.0%"/></p> <p><input type="checkbox"/> CV provided within previous 24 months</p>	
Hourly Rate: <input type="text" value="\$330"/>	

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	1.8	\$ 330.00	\$ 594.00	\$ 77.22	\$ 671.22
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 594.00	\$ 77.22	\$ 671.22

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2015-0166 and EB-2015-0175

Process: Union/Enbridge NEXUS

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>2015-0166 and EB-2015-0175</u>	Process: <u>Union/Enbridge NEXUS</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>4</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	4.4	\$ 170.00	\$ 748.00	\$ 97.24	\$ 845.24
Attendance	6.3	\$ 170.00	\$ 1,071.00	\$ 139.23	\$ 1,210.23
Interrogatories					
Preparation	13.9	\$ 170.00	\$ 2,363.00	\$ 307.19	\$ 2,670.19
Responses	4.8	\$ 170.00	\$ 816.00	\$ 106.08	\$ 922.08
Issues Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
Argument					
Preparation	19.2	\$ 170.00	\$ 3,264.00	\$ 424.32	\$ 3,688.32
Oral Hearing					
Preparation	5.5	\$ 170.00	\$ 935.00	\$ 121.55	\$ 1,056.55
Attendance	12.7	\$ 170.00	\$ 2,159.00	\$ 280.67	\$ 2,439.67
Other Conferences					
Preparation	1.9	\$ 170.00	\$ 323.00	\$ 41.99	\$ 364.99
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 11,679.00	\$ 1,518.27	\$ 13,197.27

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2015-0166 and EB-2015-0175

Process: Union/Enbridge NEXUS

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
20150626	preliminary review of application and issue	MR	1.5
20150702	emails	MR	0.1
20150706	draft and file NOIs/emails	MR	0.6
20150707	emails	MR	0.1
20150710	review application/research proposed Nexus pipeline and issues regarding niagara versus dawn deliveries	MR	3.2
20150727	emails	MR	0.1
20150728	review Union and EGD sub	MR	0.1
20150731	emails/review PO	MR	0.2
20150801	review application/research	MR	1.5
20150810	review applications/review sussex report/emails/review supply memorandums/draft IRs	MR	6.5
20150825	emails	MR	0.2
20150826	preliminary review of IRs	MR	2.0
20150831	emails	MR	0.1
20150905	review IRR/prepare for TC	MR	2.5
20150906	review IRR/prepare for TC	MR	1.5
20150908	attend technical conference/prepare for day 2	MR	7.7
20150909	disc w J. Wolnick re: question to ask panel on SEC's behalf at TC/emails/attend last part of TC/review transcript	MR	1.5
20150916	preliminary review of IRR	MR	0.3
20150917	emails/review corr	MR	0.2
20151005	Review PO re:Tolmie Motion	MR	0.2
20151006	Update JCS	MR	0.2
20151012	Emails	MR	0.2
20151013	Review Tolmie motion submissions/emails	MR	0.4
20151020	Review Tolmie reply sub	MR	0.2
20151030	Review Tolmie decision	MR	0.2
20151104	Emails/phone call with M.Millar	MR	0.5
20151106	Emails/review utility witness panel corr	MR	0.3
20151110	Emails/review material/prepare for hearing	MR	1.8
20151111	Prepare for hearing	MR	1.5
20151112	Conference call with intervenors/prepare for hearing/emails/phone call with Millar	MR	1.4
20151113	Attend oral hearing/emails/review transcript	MR	3.6
20151116	Attend oral hearing/emails/review transcript	MR	9.2
20151117	Emails/attend hearing/review transcript	MR	3.9
20151118	Review argument in chief	MR	1.2
20151123	Emails	MR	0.1
20151124	Emails/conference call with intervenors/draft argument/research/outline and draft argument	MR	3.5
20151125	Draft argument/emails/review draft CME arg/review draft FRPO arg/emails	MR	5.6
20151126	Review and edit argument, Many emails, Review arguments of others	JCS	0.9
20151126	Edit, finalize and send argument to be filed/review other parties arguments/emails	MR	1.6
20151126	Review and edit argument, Many emails, Review arguments of others	JCS	0.9
20151127	Emails/review Tolmie argument	MR	0.2
20151202	review reply arg transcript/review reply compendiums/emails	MR	2.5
20151217	emails/review decision	MR	0.5
			70.5