



## Jay Shepherd

Professional Corporation  
2200 Yonge Street,  
Suite 1302  
Toronto, Ontario M4S 2C6

**BY EMAIL and RESS**

August 10, 2016  
Our File No. 20150117

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-2015-0117 – Gas DSM Potential Study – 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 note that the Board's letter, and the cost claim, put limits on the hours to be claimed. In this case, the total is 38.2 hours of meeting time, times 1.5, plus up to 24 hours of time reviewing the work packages, for a total of 81.3 hours. As the Board will see from the dockets, SEC's counsel spent more time than that (94.9 hours), and that is after excluding time from co-counsel Mark Rubenstein assisting in the matter. Therefore, while the claim attached is within the Board's limit, SEC requests that the Board exercise its discretion to allow a claim for the additional hours spent on this matter.

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 CONSULTATIONS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation 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 Notice of Hearing for Cost Awards. Please ensure all required 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 present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" 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 must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- **Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

<b>File #</b> EB- <u>2015-0117</u>	<b>Process:</b> <u>Natural Gas Conservation Potential Study</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Affiant's Name:</b> <u>Jay Shepherd</u>
<b>HST Number:</b> <u>83673-5464-RT0001</u>	<b>HST Rate Ontario:</b> <u>13.0%</u>
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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement 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 \_\_\_\_\_, on \_\_\_\_\_ (date)

**Commissioner for taking Affidavits**

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Affidavit and Summary of Fees and Disbursements**



File # EB- 2015-0117 Process: Natural Gas Conservation Potential Study

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$26,829.00
Disbursements	\$0.00
HST	\$3,487.77
<b>Total Cost Claim</b>	<b>\$30,316.77</b>

**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

**Detail of Fees and Disbursements Being Claimed**

**Statement of Fees Being Claimed**

Statement of Fees being claimed for Eligible Activity is found on the third tab of this workbook.

**Statement(s) of Disbursements Being Claimed**

Statement of Disbursements being claimed is found on the fourth tab of this workbook.

# Ontario Energy Board

## COST CLAIM FOR CONSULTATIONS

### Affidavit and Summary of Fees and Disbursements



#### Individual Whose Costs are Being Claimed

<b>Name:</b> Jay Shepherd		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of Relevant Experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input checked="" type="checkbox"/>	1980	36
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Fees Being Claimed**



File # EB- 2015-0117

Process Natural Gas Conservation Potential Study

Party School Energy Coalition

HST Rate: 13%

Individual Whose Fees are Being Claimed	Hourly rate	Hours	Preparation for and attendance of DSM Technical Working Group meetings	Provision of additional input and advice to OEB staff and consultant outside of meeting time as required	Subtotal	HST	Total
			<i>Actual meeting time multiplied by 1.5</i>	<i>Up to 24 hours</i>			
Jay Shepherd	\$330.00	57.30	24.00	all	\$26,829.00	\$3,487.77	\$30,316.77
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00
					\$0.00	\$0.00	\$0.00
<b>Total:</b>			57.30	0.00	<b>\$26,829.00</b>	<b>\$3,487.77</b>	
					<b>Total legal/consultant fees: \$30,316.77</b>		

Date	Explanation	Lwyr	Hours
20150407	Review Board letter, many emails	JCS	0.3
20150409	Intervenor meeting, many emails	JCS	2.4
20150410	Many emails, study background	JCS	0.7
20150414	Review GEC letter, many emails	JCS	0.3
20150416	Many emails	JCS	0.2
20150418	Various emails	JCS	0.2
20150623	Telephone call with Takis	JCS	0.2
20150629	Many emails, review Board letter	JCS	0.4
20150630	Many emails	JCS	0.1
20150630	Many emails, research	JCS	1.2
20150713	Review draft SOW	JCS	1.2
20150714	Emails with Chris Neme	JCS	0.4
20150715	Telephone call with Chris Neme, prepare for meeting	JCS	0.8
20150716	Review Enbridge SOW, review further material from Enerlefe, Chris Neme, attend meeting	JCS	4.1
20150719	Review comments and edits	JCS	0.4
20150722	Many emails	JCS	0.1
20150819	Many emails	JCS	0.2
20151023	Many emails, scheduling	JCS	0.2
20151026	Many emails	JCS	0.2
20151027	Various emails	JCS	0.1
20151028	Many emails, scheduling	JCS	0.2
20151104	Many emails	JCS	0.2
20151111	Many emails	JCS	0.1
20151112	Many emails	JCS	0.2
20151117	Review ICF Proposal	JCS	1.0
20151201	Many emails	JCS	0.1
20151202	Many emails	JCS	0.3
20151203	Many emails	JCS	0.2
20151204	Various emails	JCS	0.1
20151208	Review material, Various emails	JCS	0.6
20151210	Attend at meeting (conference call), Provide written comments, Many emails, Review slides	JCS	2.4
20151211	Many emails	JCS	0.1
20151214	Many emails	JCS	0.2
20160107	Review final list, Scheduling, Various emails	JCS	0.3
20160108	Various emails	JCS	0.1
20160118	Review meeting materials	JCS	0.3
20160119	Prep for meeting	JCS	4.4
20160120	Attend at meeting, Many emails	JCS	5.8
20160126	Review comments	JCS	0.1
20160201	Review EGD comments	JCS	0.3
20160202	Review comments	JCS	0.6
20160203	Many emails, Scheduling	JCS	0.2
20160207	Review new material	JCS	0.2
20160212	Many emails	JCS	0.1
20160216	Review background material	JCS	1.5
20160218	Review presentation	JCS	3.7
20160219	Prep & attend at meeting	JCS	4.1
20160303	Scheduling	JCS	0.1
20160304	Review avoided cost chapter, Many emails	JCS	1.7
20160310	Review Board letter	JCS	0.1
20160311	Review Enbridge comments	JCS	0.3
20160314	Review presentation, Many emails, Review Union & GEC Avoided Cost comments	JCS	1.4
20160315	Attend at meeting, Many emails	JCS	5.9
20160320	Various emails	JCS	0.1
20160321	Various emails	JCS	0.1
20160322	Various emails	JCS	0.1

20160328	Review Enbridge material	JCS	1.1
20160330	Review feedback, Many emails	JCS	0.3
20160331	Review additional feedback, Many emails	JCS	0.3
20160405	Various emails	JCS	0.1
20160406	Many emails	JCS	0.2
20160407	Attend at meeting, Many emails, Review presentation & Prep	JCS	2.9
20160409	Many emails	JCS	0.4
20160410	Many emails	JCS	0.4
20160411	Many emails	JCS	0.4
20160412	Many emails	JCS	0.1
20160418	Prep for meeting, Many emails	JCS	1.1
20160419	Attend at meeting, Review slides & analysis, Many emails	JCS	3.0
20160421	Many emails	JCS	0.1
20160422	Various emails, Analysis of slide deck & notes	JCS	2.1
20160425	Telephone call with Valerie Bennett, Many emails	JCS	0.8
20160426	Review Package # 1	JCS	2.2
20160427	Review package # 2, Many emails, Send NAUC info to Valerie	JCS	1.4
20160428	Review first two packages, Many emails	JCS	1.4
20160503	Prep for meeting, Many emails, Review comments	JCS	1.1
20160504	Conference call meeting, Many emails, Prep	JCS	2.9
20160505	Many emails	JCS	0.3
20160509	Many emails, Review TWG # 3	JCS	0.6
20160513	Review Union and Enbridge comments	JCS	0.8
20160517	Review Work Package # 4, Various emails	JCS	1.3
20160519	Review materials, Review comments	JCS	2.1
20160520	Many emails, Conference call, Review materials	JCS	2.3
20160530	Review materials	JCS	0.6
20160531	Many emails, Review materials	JCS	1.0
20160601	Many emails, Review materials	JCS	1.1
20160606	Review comments, Many emails	JCS	0.7
20160607	Review comments	JCS	1.0
20160610	Review # 6, Many emails	JCS	0.6
20160614	Many emails	JCS	0.2
20160615	Many emails	JCS	0.4
20160617	Prep for meeting, Many emails, Conference call meeting	JCS	1.9
20160620	Review draft report, Comments	JCS	3.0
20160621	Review Chris comments, Cross-reference others	JCS	0.5
20160711	Review final potential study	JCS	1.4
20160713	Review final comment log	JCS	1.9
			94.9