



Jay Shepherd

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

BY EMAIL and RESS

September 30, 2016
Our File No. 20150072

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2015-0072 – Grimsby 2016 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.

We note counsel Mark Rubenstein had carriage of this matter, which was partially settled. A two day hearing and argument on the two unsettled issues followed. Time spent by Jay Shepherd to assist has not been included, except for the argument, which had some issues that needed more than routine input. That time has been included.

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-	2015-0072	Process:	Grimsby 2016 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, Mark Rubenstein, 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 October 3, 2016.
(date)

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



Commissioner for taking Affidavits

File # EB- 2015-0072 **Process:** Grimsby 2016 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	20,109.00
Disbursements	\$	-
HST	\$	2,614.17
Total Cost Claim	\$	22,723.17

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- 2015-0072

Process: Grimsby 2016 Rates

Party: School Energy Coalition

Service Provider Name: Jay Shepherd

SERVICE PROVIDER TYPE (check one)

Legal Counsel ☒

Articling Student/Paralegal ☐

Consultant ☐

Analyst ☐

For Consultant/Analyst: ☐ CV attached

☐ CV provided within previous 24 months

Year Called to
Bar

1980

Completed Years Practising/Years
of Relevant Experience

36

Hourly Rate: \$330

HST Rate Charged (enter %): 13.0%

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	1.9	\$ 330.00	\$ 627.00	\$ 81.51	\$ 708.51
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 627.00	\$ 81.51	\$ 708.51

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



File # EB- 2015-0072

Process: Grimsby 2016 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- 2015-0072

Process: Grimsby 2016 Rates

Party: School Energy Coalition

Service Provider Name: Mark Rubenstein

SERVICE PROVIDER TYPE (check one)

Year Called to
Bar

Completed Years Practising/Years
of Relevant Experience

Legal Counsel ☒

2011

5

Articling Student/Paralegal ☐

Consultant ☐

Hourly Rate: \$170

Analyst ☐

For Consultant/Analyst: ☐ CV attached

HST Rate Charged (enter %): 13.0%

☐ 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	3.2	\$ 170.00	\$ 544.00	\$ 70.72	\$ 614.72
Attendance	2.9	\$ 170.00	\$ 493.00	\$ 64.09	\$ 557.09
Interrogatories					
Preparation	19.3	\$ 170.00	\$ 3,281.00	\$ 426.53	\$ 3,707.53
Responses	6.9	\$ 170.00	\$ 1,173.00	\$ 152.49	\$ 1,325.49
Issues Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	10.0	\$ 170.00	\$ 1,700.00	\$ 221.00	\$ 1,921.00
Attendance	22.5	\$ 170.00	\$ 3,825.00	\$ 497.25	\$ 4,322.25
Proposal Preparation	8.2	\$ 170.00	\$ 1,394.00	\$ 181.22	\$ 1,575.22
Argument					
Preparation	16.7	\$ 170.00	\$ 2,839.00	\$ 369.07	\$ 3,208.07
Oral Hearing					
Preparation	16.4	\$ 170.00	\$ 2,788.00	\$ 362.44	\$ 3,150.44
Attendance	8.5	\$ 170.00	\$ 1,445.00	\$ 187.85	\$ 1,632.85
Other Conferences					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 19,482.00	\$ 2,532.66	\$ 22,014.66

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



File # EB- 2015-0072

Process: Grimsby 2016 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	Hours
20160129	prelim review of application/draft and file NOI	MR	2.2
20160218	review application/research previous proceeding decision and evidence for comparison	MR	4.0
20160303	review LOD/emails	MR	0.1
20160307	emails	MR	0.2
20160309	emails	MR	0.1
20160310	review application/draft IRs	MR	1.5
20160315	review application/draft IRs	MR	5.5
20160323	review evidence/draft IRs	MR	3.5
20160401	review PO/emails	MR	0.2
20160413	review Staff IRs/disc w JCS	MR	0.5
20160415	edit, finalize and file IRs/draft cover letter/review other parties IRs/emails	MR	1.5
20160507	preliminary review of Grimsby IRR	MR	1.0
20160512	review ltr re: conf/instructions re: prepare D&U/sign D&U	MR	0.3
20160513	emails	MR	0.1
20160516	emails	MR	0.1
20160518	emails/review EP clarification questions	MR	0.3
20160519	review draft issues list/email comments	MR	0.3
20160520	emails/review issues list decision	MR	0.3
20160522	review IRR/prepare for settlement conference	MR	4.5
20160523	review IRR/review EP clarification question responses/prepare for settlement conference	MR	4.2
20160524	attend settlement conference	MR	8.5
20160524	prepare for day 2 of settlement conference/emails/review updated CA model	MR	2.9
20160525	attend settlement conference	MR	6.7
20160525	disc w JCS/review and research PILs issue for tomorrow/emails with parties/prepare for day 3	MR	2.0
20160526	attend settlement conference	MR	6.3
20160526	provide status update to JCS/emails	MR	0.4
20160527	emails	MR	0.1
20160530	conference call w all parties re: PILS. Staff cancels/emails	MR	0.3
20160531	emails	MR	0.1
20160601	p.call w. C. Haussman/emails	MR	0.1
20160602	emails	MR	0.2
20160603	conference call w all parties/p. call w R. Aiken	MR	0.7
20160609	emails/review draft settlement agreement and provided its and comments	MR	2.1
20160610	emails/review other parties comments	MR	0.2
20160613	emails/review parties further comments on draft	MR	0.4
20160614	emails	MR	0.1
20160615	emails/p.call w. R. Aiken	MR	0.5
20160616	emails/conf call w all parties/conf. call w intervenors/review extension corr/research issues raised on call by KPMG	MR	2.2

20160617	emails/review and provide edits and comment on second draft of settlement conference/review other parties further comment and edits	MR	1.2
20160622	emails/review latest draft and provide comments	MR	0.4
20160623	emails/disc w J. Sidlofsky	MR	0.4
20160624	emails/review final draft of settlement agreement and sign-off	MR	0.5
20160626	emails/review EP corr	MR	0.2
20160627	review GPI letter/emails/p. call w. K. Bishop/draft responding letter/review PO	MR	1.1
20160628	emails	MR	0.1
20160629	emails/preliminary review of additional evidence and expert report	MR	1.6
20160630	emails/p.call w R. Aiken/review Staff sub/review response to EP questions	MR	1.1
20160704	emails	MR	0.2
20160705	review new evidence/review previous cases and underlying materials/prepare for TC	MR	3.2
20160706	attend technical conference/discussion w parties	MR	2.9
20160707	emails/multiple calls w. Amy from GPI re UT	MR	0.4
20160711	emails/prepare for hearing	MR	0.8
20160711	review UT responses/review evidence/prepare cross-examination/many emails/p.call w. R. Aiken/review GPI letter	MR	6.0
20160712	emails/review GPI expert presentation/review hearing plan/prepare for hearing/prepare compendium	MR	1.6
20160713	emails/review transcript	MR	0.5
20160713	attend oral hearing/discussion with parties after	MR	7.7
20160714	attend oral hearing/disc with parties	MR	3.8
20160725	emails, review undertaking responses	MR	0.4
20160726	outline and draft argument/p. calls w R. Aiken	MR	5.6
20160727	draft argument/review amendments to settlement proposal and sign off	MR	2.5
20160728	Review and edit final argument	JCS	1.4
20160728	draft argument/review EP draft/emails	MR	3.2
20160729	Review arguments of other parties	JCS	0.5
20160729	edit argument,review milton decision and incorporate/finalize and file/review other parties evidence	MR	2.7
20160730	review VECC arg	MR	0.3
20160809	emails/review reply arg	MR	0.5
20160818	review decision/emails	MR	0.4
20160819	emails	MR	0.2
20160912	emails	MR	0.2
20160913	emails	MR	0.3
20160914	emails	MR	0.2
20160915	review GPI Ltr/emails/sign off on revisions to be included in reply to DRO	MR	0.2
			116.5