



Jay Shepherd

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

BY EMAIL and RESS

April 6, 2017
Our File No. 20160096

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2016-0096 – Northern Ontario Wires 2017 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 that Mark Rubenstein took carriage of this matter, which included a successful ADR with settlement of all issues. Time spent by Jay Shepherd has not been claimed.

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- <u>2016-0096</u> | Process: <u>NOW 2017 Rates</u> |
| Party: <u>School Energy Coalition</u> | Affiant's Name: <u>Jay Shepherd</u> |
| HST Number: <u>83673-5464-RT0001</u> | HST Rate Ontario: <u>13.00%</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(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 April 6, 2017.
(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2016-0096

Process: NOW 2017 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

| | | |
|-----------------------------|-----------|-----------------|
| Legal/consultant/other fees | \$ | 6,936.00 |
| Disbursements | \$ | - |
| HST | \$ | 901.68 |
| Total Cost Claim | \$ | 7,837.68 |

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



Detail of Fees and Disbursements Being Claimed

| | | | |
|--|--|---|--|
| File # EB- <u>2016-0096</u> | | Process: <u>NOW 2017 Rates</u> | |
| Party: <u>School Energy Coalition</u> | | Service Provider Name: <u>Mark Rubenstein</u> | |
| SERVICE PROVIDER TYPE (check one) | | Year Called to Bar <div style="border: 1px solid black; padding: 2px; display: inline-block;">2011</div> | Completed Years Practising/Years of Relevant Experience <div style="border: 1px solid black; padding: 2px; display: inline-block;">5</div> |
| <input checked="" type="checkbox"/> Legal Counsel <input type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst | | Hourly Rate: <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$170</div> | |
| For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months | | HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px; display: inline-block;">13.0%</div> | |

| 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 | 11.2 | \$ 170.00 | \$ 1,904.00 | \$ 247.52 | \$ 2,151.52 |
| Responses | 5.7 | \$ 170.00 | \$ 969.00 | \$ 125.97 | \$ 1,094.97 |
| Issues Conference | | | | | |
| Preparation | | \$ 170.00 | \$ - | \$ - | \$ - |
| Attendance | | \$ 170.00 | \$ - | \$ - | \$ - |
| ADR - Settlement Conference | | | | | |
| Preparation | 7.8 | \$ 170.00 | \$ 1,326.00 | \$ 172.38 | \$ 1,498.38 |
| Attendance | 12.0 | \$ 170.00 | \$ 2,040.00 | \$ 265.20 | \$ 2,305.20 |
| Proposal Preparation | 4.1 | \$ 170.00 | \$ 697.00 | \$ 90.61 | \$ 787.61 |
| Argument | | | | | |
| Preparation | | \$ 170.00 | \$ - | \$ - | \$ - |
| Oral Hearing | | | | | |
| Preparation | | \$ 170.00 | \$ - | \$ - | \$ - |
| Attendance | | \$ 170.00 | \$ - | \$ - | \$ - |
| Other Conferences | | | | | |
| Preparation | | \$ 170.00 | \$ - | \$ - | \$ - |
| Attendance | | \$ 170.00 | \$ - | \$ - | \$ - |
| Case Management | | \$ 170.00 | \$ - | \$ - | \$ - |
| TOTAL SERVICE PROVIDER FEES | | | \$ 6,936.00 | \$ 901.68 | \$ 7,837.68 |

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2016-0096

Process: NOW 2017 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: | \$ - | \$ - | \$ - |

| Date | Explanation | Lwyr | Hours |
|----------|---|------|-------|
| 20161025 | emails/review Notice/preliminary review of application | MR | 1.8 |
| 20161129 | review PO | MR | 0.2 |
| 20161219 | review application/research/draft IRs | MR | 5.6 |
| 20161220 | review application/draft IRs | MR | 3.1 |
| 20161221 | edit, finalize and file IRs/emails | MR | 0.5 |
| 20170131 | emails/prelim review of IR | MR | 1.1 |
| 20170206 | emails | MR | 0.2 |
| 20170207 | emails/draft letter to Bd | MR | 0.4 |
| 20170208 | emails | MR | 0.1 |
| 20170216 | emails/review decision on issues list and conf | MR | 0.3 |
| 20170217 | emails/preliminary review of revised and additional IR responses | MR | 1.2 |
| 20170221 | prepare for settlement | MR | 2.2 |
| 20170222 | prepare for settlement | MR | 5.2 |
| 20170223 | attend settlement conference/prepare for day 2 | MR | 8.6 |
| 20170224 | attend settlement conference day 2/debrief afterwards | MR | 6.2 |
| 20170303 | emails/prelim review of settlement agreement | MR | 0.3 |
| 20170304 | begin to review settlement agreement/provide comments and edits | MR | 0.6 |
| 20170305 | review settlement agreement/provide comments and edits | MR | 1.2 |
| 20170306 | emails | MR | 0.1 |
| 20170307 | emails/review correspondence/review other parties' edits and comments | MR | 0.6 |
| 20170308 | settlement agreement and models | MR | 0.5 |
| 20170309 | emails | MR | 0.2 |
| 20170310 | emails | MR | 0.1 |
| 20170313 | emails/re: change to settlement proposal | MR | 0.1 |
| 20170315 | emails/review Staff sub | MR | 0.2 |
| 20170323 | review decision | MR | 0.2 |
| | | | 40.8 |

6936

901.68

7837.68