



BY EMAIL and RESS

Jay Shepherd
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August 31, 2017
Our File No. 20150179

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2015-0179 – Union Gas Community Expansion – 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 counsel Mark Rubenstein had carriage of this matter. Co-counsel Jay Shepherd had limited involvement, primarily during the interrogatory and argument phases, and dealing with input from the client on the balancing of the interests of various schools affected. Incidental time spent by Mr. Shepherd in consultation and supervision has not been billed.

This matter was halted to make way for the Generic Community Expansion case, then restarted with a revised application. There were two sets of interrogatories, and multiple additional steps. The pre-hearing conference on December 18, 2015 has been treated as an Issues Conference. It was eventually the subject of written argument.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.

A handwritten signature in black ink, appearing to read "Jay Shepherd", is written over a light grey rectangular background.

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-	2015-0179	Process:	Union Gas Community Expansion
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 **August 31, 2017**.
(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2015-0179 Process: Union Gas Community Expansion

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	16,521.00
Disbursements	\$	-
HST	\$	2,147.73
Total Cost Claim	\$	18,668.73

Payment Information

Make cheque payable to: Shepherd Rubenstein 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>2015-0179</u>	Process: <u>Union Gas Community Expansion</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"/>	<input type="text" value="1980"/>	<input type="text" value="37"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <input type="text" value="\$330"/>
<input type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <input type="text" value="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	2.5	\$ 330.00	\$ 825.00	\$ 107.25	\$ 932.25
Responses	0.4	\$ 330.00	\$ 132.00	\$ 17.16	\$ 149.16
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	4.2	\$ 330.00	\$ 1,386.00	\$ 180.18	\$ 1,566.18
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 2,343.00	\$ 304.59	\$ 2,647.59

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2015-0179

Process: Union Gas Community Expansion

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

File # EB- <u>2015-0179</u>	Process: <u>Union Gas Community Expansion</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"/>	2011
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
Completed Years Practising/Years of Relevant Experience	5
Hourly Rate:	\$170
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	3.2	\$ 170.00	\$ 544.00	\$ 70.72	\$ 614.72
Technical Conference					
Preparation	1.1	\$ 170.00	\$ 187.00	\$ 24.31	\$ 211.31
Attendance	7.0	\$ 170.00	\$ 1,190.00	\$ 154.70	\$ 1,344.70
Interrogatories					
Preparation	32.1	\$ 170.00	\$ 5,457.00	\$ 709.41	\$ 6,166.41
Responses	12.5	\$ 170.00	\$ 2,125.00	\$ 276.25	\$ 2,401.25
Issues Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	3.5	\$ 170.00	\$ 595.00	\$ 77.35	\$ 672.35
Attendance	7.4	\$ 170.00	\$ 1,258.00	\$ 163.54	\$ 1,421.54
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
Argument					
Preparation	16.6	\$ 170.00	\$ 2,822.00	\$ 366.86	\$ 3,188.86
Oral Hearing					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 14,178.00	\$ 1,843.14	\$ 16,021.14

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2015-0179

Process: Union Gas Community Expansion

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	Mark	Jay
20150723	review application/disc with JCS/emails	MR	1.5	
20150724	preliminary review application	MR	1.6	
20150911	emails/review notice and application/disc w JCS	MR	1.2	
20150914	draft notice of intervention	MR	0.3	
20150915	finalize and file notice of intervention	MR	0.2	
20150929	disc w JCS/emails/review application	MR	1.6	
20150930	emails/disc w M.Millar	MR	0.2	
20151002	Discussion with JCS	MR	0.2	
20151016	Review PO	MR	0.1	
20151026	Review evidence/draft IRs	MR	1.5	
20151102	Discussion with JCS/draft client briefing on significant issues in proceeding	MR	3.5	
20151103	Discussion with JCS/edit and revise briefing memo to client	MR	0.8	
20151103	Revise and send client report, Meeting with Mark Rubenstein	JCS		1.5
20151110	Review materials/draft IRs/research issues	MR	1.6	
20151111	Review materials/draft IRs	MR	2.2	
20151116	Review Board jurisdictional report on New Gas Developments/edit and finalize	MR	2.0	
20151117	Finalize and file IRs/review other parties IRs/emails	MR	1.2	
20151118	Meeting with Mark Rubenstein, Review IRs, Meeting with Dwayne Quinn	JCS		0.4
20151130	emails/review PO	MR	0.2	
20151203	emails	MR	0.1	
20151207	review corr	MR	0.2	
20151208	review CPA letter	MR	0.1	
20151209	emails	MR	0.2	
20151210	preliminary review of IRR/emails	MR	1.5	
20151214	review IRR/prepare for TC/emails/review updated application/review excel models	MR	7.5	
20151215	emails/attend TC/disc w parties/p. call w Randy Aiken	MR	8.1	
20151216	Many emails	JCS		0.3
20151216	emails/review corr/review materials	MR	1.5	
20151217	prepare for pre-hearing day/emails	MR	1.5	
20151218	Meeting with Mark Rubenstein, Review transcript	JCS		0.4
20151218	attend pre-hearing conf/disc w JCS/review transcript	MR	3.2	
20151220	emails	MR	0.1	
20151222	emails/prelim review of UT responses	MR	0.6	
20160104	emails/review undertaking responses	MR	0.1	
20160105	review undertaking response/emails/disc w JCS/legal research re: funding	MR	2.2	
20160112	emails/review UT	MR	0.1	
20160119	Emails	MR	0.1	
20160120	Review letter, Many emails	JCS		0.3
20160120	review Bd letter	MR	0.1	
20170213	email/review letter	MR	0.2	
20170214	email	MR	0.1	
20170217	emails/review SB Municipalities corr	MR	0.2	
20170315	review Union letter	MR	0.1	
20170402	emails/preliminary review of revised application	MR	0.4	
20170410	revised notice of intervention	MR	0.3	
20170426	review PO	MR	0.2	
20170428	review various letters from parties	MR	0.3	
20170503	disc w JCS	MR	0.4	
20170507	review updated evidence and draft IRs	MR	1.5	
20170508	review updated evidence and draft IRs	MR	2.2	
20170510	emails/review other parties IRs	MR	0.2	
20170512	emails/review VECC corr	MR	0.1	
20170524	emails/preliminary review of IRR	MR	0.5	
20170525	review PO	MR	0.1	

20170526	review IRR/consider issues/disc w JCS	MR	2.0	
20170528	review IRR/prepare for settlement conference	MR	3.5	
20170529	attend settlement conference/disc w JCS	MR	7.4	
20170530	conference call w parties/conference call w intervenors/p. call w. C. Keizer/emails	MR	1.7	
20170531	draft response to Union/many emails among intervenors re: drafting response	MR	1.2	
20170601	p. call w. CK/emails	MR	0.3	
20170602	emails	MR	0.1	
20170605	many emails/multiple conference calls with all parties and intervenors/p. call w. C. Keiz	MR	1.8	
20170606	review Union corr/emails	MR	0.3	
20170607	Review PO #9, Various emails	JCS		0.2
20170607	emails/review PO	MR	0.3	
20170612	review application	MR	0.3	
20170613	emails/review A+C	MR	0.4	
20170614	Review argument in chief	JCS		0.7
20170614	consider issues/draft arg	MR	1.2	
20170615	emails/draft argument	MR	2.2	
20170619	draft argument	MR	3.7	
20170620	Review final argument	JCS		2.0
20170620	draft argument	MR	0.2	
20170621	Review submissions of parties	JCS		1.3
20170621	finalize and edit argument/file argument/review other parties' arg	MR	1.5	
20170622	review VECC arg	MR	0.3	
20170626	emails/review reply argument	MR	0.6	
20170627	review CCC cor	MR	0.1	
20170810	emails/review decision	MR	0.4	
			83.4	7.1

\$14,178.00 \$2,343.00
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 \$2,147.73
 \$18,668.73