



BY EMAIL and RESS

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November 13, 2017
Our File No. HV-2015-0001

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2015-0094 – Oakville Hydro – HVAC Cost Claim

We are counsel for the HVAC Coalition. In our letter of November 2, 2017 enclosing the HVAC cost claim in this matter, we failed to respond to the Board's letter of December 16, 2015 accepting the HVAC late intervention and request for cost eligibility. In that letter, the Board approved the intervention and cost eligibility on condition that cost claims be prospective in nature.

HVAC requests that the Board approve the cost claim as filed, notwithstanding that 15.9 of the 25.0 hours claimed were prior to the HVAC request for intervention.

While all of the time claimed is fairly characterized as directly related to EB-2015-0094, the 15.9 hours prior to December 8, 2015 can be divided into two categories:

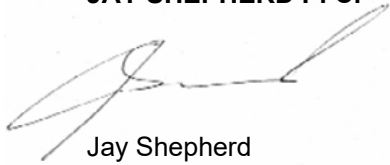
- From September 1, 2015 to October 29, 2015, we were engaged in monitoring the application, which it turned out was non-compliant with the prior order, and discussing the situation with the Applicant. It was HVAC's review that brought the problem to the Board's attention. It was our hope, however, which we expressed for example in our October 27, 2015 letter, that HVAC would not have to intervene in the proceeding, since it was in all other respects a relatively routine IRM application. The hours claimed over that period were 8.1 hours. The best way to think of this is an effort to avoid unnecessary regulatory involvement by HVAC, while still assisting the Board.
- From October 30, 2015 to December 7, 2015, we were reviewing the draft study and then providing advice to our client, including recommending intervention in the proceeding. Once the client had approved the recommendation, we filed our Notice of Intervention on December 8, 2015. This was essentially the same situation as any intervenor who must review an application

before determining whether it is appropriate to intervene. The time involved was 7.8 hours.
This effort was necessary for the submissions and other involvement by HVAC that followed.

HVAC requests that the Board exercise its discretion to reimburse our client HVAC Coalition for the work done prior to the date of the Notice of Intervention. All of that work was directly related to the Application before the Board, and all of it necessary to achieve the outcome that actually transpired. Ironically, most of it was intended to minimize regulatory costs and burden on all parties.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.



Jay Shepherd

cc: Martin Luymes, HVAC (email)
Interested Parties