



BY EMAIL and RESS

Jay Shepherd
jay@shepherdrubenstein.com
Direct: 416-804-2767

January 17, 2018
Our File No. EB-2017-0320

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2017-0320 – Hydro One Motion for Review – SEC Cost Claim

We are counsel for the School Energy Coalition. We enclose our cost claim in this matter, on the Board's form and including docket details. We apologize for the late filing, which arose because the decision was inadvertently sent only to the Applicants.

Senior counsel Jay Shepherd took the lead on this matter, with support on some legal issues from co-counsel Mark Rubenstein. All work done prior to the cross-examination is treated as prep for that examination, although of course much of it related to argument as well. The cross-examination on the affidavit is listed under "technical conference".

All of which is respectfully submitted.

Yours very truly,
SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION

A handwritten signature in dark ink, appearing to read "Jay Shepherd", is written over a light blue horizontal line.

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-	2017-0320	Process:	Hydro One Distribution Motion for Review
Party:	School Energy Coalition	Affiant's Name:	Mark Rubenstein
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 **January 18, 2018**.
(date)

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



Commissioner for taking Affidavits

File # EB- 2017-0320 **Process:** Hydro One Distribution Motion for Review

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	13,213.00
Disbursements	\$	-
HST	\$	1,717.69
Total Cost Claim	\$	14,930.69

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
Affidavit and Summary of Fees and Disbursements



Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2017-0320</u>	Process: <u>Hydro One Distribution Motion for Review</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"/>	1980	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:	\$330
<input type="checkbox"/> CV provided within previous 24 months		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	19.9	\$ 330.00	\$ 6,567.00	\$ 853.71	\$ 7,420.71
Attendance	2.0	\$ 330.00	\$ 660.00	\$ 85.80	\$ 745.80
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	15.7	\$ 330.00	\$ 5,181.00	\$ 673.53	\$ 5,854.53
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 12,408.00	\$ 1,613.04	\$ 14,021.04

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



File # EB- 2017-0320

Process: Hydro One Distribution Motion for Review

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- <u>2017-0320</u>	Process: <u>Hydro One Distribution Motion for Review</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input type="checkbox"/>	2011	6
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: \$230
Analyst <input type="checkbox"/>		
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		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	2.0	\$ 230.00	\$ 460.00	\$ 59.80	\$ 519.80
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Responses		\$ 230.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation	1.5	\$ 230.00	\$ 345.00	\$ 44.85	\$ 389.85
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 805.00	\$ 104.65	\$ 909.65

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2017-0320

Process: Hydro One Distribution Motion for Review

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	JCS	MR
20170808	Various emails, Review report	JCS	0.1	
20170815	review HO motion to review	MR		0.4
20170816	review Orillia motion to review and affidavit/emails	MR		0.7
20170816	Review notice of motion materials, Research, Meet with Mark, Many emails	JCS	2.2	
20170817	disc w JCS	MR		0.3
20170908	Review status, Various emails	JCS	0.3	
20170911	Various emails	JCS	0.1	
20170920	Review Hydro One letter	JCS	0.2	
20171019	Many emails	JCS	0.4	
20171019	emails/disc w JCS	MR		0.2
20171024	Review PO #1, Many emails	JCS	0.4	
20171024	review PO	MR		0.1
20171027	Many emails	JCS	0.3	
20171101	Review evidence filing, Prep for cross-examinations, Research	JCS	1.6	
20171107	Spreadsheets, Prep for cross-examinations, Send materials to applicants, Many emails	JCS	5.0	
20171107	disc w JCS re: cross-examination issues	MR		0.3
20171108	Prep for cross-examinations, Send materials to parties, Many emails	JCS	4.1	
20171109	Prep for cross-examinations, Many emails, Procedural debate, etc	JCS	4.0	
20171110	Cross-examination on affidavits, Many emails, Reporting	JCS	3.3	
20171113	Review undertaking response	JCS	0.4	
20171116	Review letter	JCS	0.1	
20171124	Review OEB Staff submissions, Research, Many emails	JCS	2.2	
20171124	review staff sub	MR		0.4
20171126	Draft submissions, Legal research	JCS	6.2	
20171127	Revise and file submissions, Many emails	JCS	3.6	
20171127	emails/review SEC sub	MR		0.5
20171212	review Orillia reply arg	MR		0.3
20171213	Review reply arguments, Meet with Mark	JCS	1.0	
20171213	review HO reply and disc w JCS	MR		0.3
20171214	Draft letter re problems with reply, Revise and file	JCS	1.7	
20180116	review decision	JCS	0.4	
			37.6	3.5

\$12,408.00 \$805.00

\$805.00

\$13,213.00

\$1,717.69

\$14,930.69