



BY EMAIL and RESS

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

March 6, 2018
Our File: EB20170086

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2017-0086 – Enbridge Gas 2018 – Cost Claim

We are counsel for the School Energy Coalition (“SEC”). Enclosed, please find SEC’s cost claim in this matter, on the Board’s form and including docket details. We note that SEC took the lead amongst intervenors coordinating the settlement negotiations with Enbridge, including the required revisions as a result of the Board’s oral decision. Further, SEC was one of a few intervenors to provide comments on the Draft Accounting Order.

We have included time spent dealing with geothermal and renewable natural gas aspects of the original application. This related to time incurred reviewing and considering the unique aspect of the original application, including a meeting with Enbridge, undertaken after the filing of the application, but before the issuance of the Board’s Notice, requiring those components to be removed and re-filed under a separate docket (EB-2017-0319). We have been informed by Board Staff that this time should be claimed in this proceeding and not in EB-2017-0319. Since there is no general preparation category on the Board’s form, they have been included under the interrogatory preparation category.

Yours very truly,

Shepherd Rubenstein P.C.

Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
Applicant (by email)

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>EB-2017-0086</u>	Process: <u>Enbridge Gas 2018 Rates</u>
Party: <u>School Energy Coalition</u>	Affiant's Name: <u>Mark Rubenstein</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, 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 March 6 2018.
(date)

Commissioner for taking Affidavits

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

File # EB-2017-0086 Process: Enbridge Gas 2018 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	17,254.00
Disbursements	\$	-
HST	\$	2,243.02
Total Cost Claim	\$	19,497.02

Payment Information

Make cheque payable to: Shepherd Rubenstein Professional Corporation, in tr

Send payment to this address: 2200 Yonge Street

Suite 1302

Toronto, ON

M4S 2C6

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2017-0086</u>	Process: <u>Enbridge Gas 2018 Rates</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"/>	<input type="text" value="2011"/>
Articling Student/Paralegal <input type="checkbox"/>	<input type="text" value="6"/>
Consultant <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience
Analyst <input type="checkbox"/>	Hourly Rate: <input type="text" value="\$230"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <input type="text" value="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		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
Interrogatories						
Preparation	16.40	\$ 230.00	\$ 3,772.00	\$ 490.36	\$ 4,262.36	
Responses	6.60	\$ 230.00	\$ 1,518.00	\$ 197.34	\$ 1,715.34	
Issues Conference						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
ADR - Settlement Conference						
Preparation	0.40	\$ 230.00	\$ 92.00	\$ 11.96	\$ 103.96	
Attendance	17.80	\$ 230.00	\$ 4,094.00	\$ 532.22	\$ 4,626.22	
Proposal Preparation	9.40	\$ 230.00	\$ 2,162.00	\$ 281.06	\$ 2,443.06	
Argument						
Preparation	3.60	\$ 230.00	\$ 828.00	\$ 107.64	\$ 935.64	
Oral Hearing						
Preparation	0.30	\$ 230.00	\$ 69.00	\$ 8.97	\$ 77.97	
Attendance	3.30	\$ 230.00	\$ 759.00	\$ 98.67	\$ 857.67	
Other Conferences						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
Case Management						
			\$ -	\$ -	\$ -	
TOTAL SERVICE PROVIDER FEES			\$ 13,294.00	\$ 1,728.22	\$ 15,022.22	

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2017-0086

Process: Enbridge Gas 2018 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

File # EB- <u>EB-2017-0086</u>	Process: <u>Enbridge Gas 2018 Rates</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input type="checkbox"/>	2011
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience
Consultant <input type="checkbox"/>	37
Analyst <input type="checkbox"/>	Hourly Rate: \$330
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		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
Technical Conference						
Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
Interrogatories						
Preparation	12.00	\$ 330.00	\$ 3,960.00	\$ 514.80	\$ 4,474.80	
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		\$ 330.00	\$ -	\$ -	\$ -	
Oral Hearing						
Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
Other Conferences						
Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
Case Management						
			\$ -	\$ -	\$ -	
TOTAL SERVICE PROVIDER FEES			\$ 3,960.00	\$ 514.80	\$ 4,474.80	

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2017-0086

Process: Enbridge Gas 2018 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:		\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20170906	email/review application	MR	0.3
20170907	disc w JCS re: geothermal in rates issue/emails	MR	1.2
20170907	Meet with Mark, Research and issues analysis, Outline of memo for client	JCS	5.6
20170908	disc w JCS re: geothermal in rates issue/emails	MR	0.2
20170908	Meet with Mark, Many emails	JCS	1.3
20170914	emails	MR	0.1
20170915	emails/disc w JCS	MR	0.5
20170915	Many emails, Meet with Mark	JCS	2.1
20170918	p. call w JCS/emails/prepare for meeting w EGD and OGA/attend meeting at OGC offices with EGD and OGA	MR	4.0
20170919	disc w JCS/emails	MR	0.3
20170925	emails	MR	0.3
20170925	Review evidence filing, Many emails, Report to Mark/SEC	JCS	3.0
20171005	emails/review evidence update	MR	0.1
20171019	preliminary review of application/draft and file NoI	MR	0.7
20171025	review PO	MR	0.2
20171025	review application	MR	0.8
20171027	preliminary review of application/draft IRs	MR	2.5
20171030	emails/review Staff IRs	MR	0.4
20171102	review application and draft IRs	MR	3.0
20171103	finalize and edits lrs/draft cover letter and file/review other parties lrs	MR	1.6
20171113	p. call w J. Girvan	MR	0.2
20171114	review IRR and prepare for settlement conference	MR	3.5
20171115	review IRR, review ICF storage report provided in resposes/emails/prepare for settlement conference	MR	3.1
20171116	attend settlement conference/prepare for day 2	MR	9.0
20171117	attend settlement conference/p. call w. David Stevens/many emails	MR	5.1
20171118	review circulated settlement memo from TCPL	MR	0.3
20171119	emails	MR	0.1
20171120	emails/conf call w intervenors/review materials EGD sent/conf call w all parties	MR	1.0
20171121	emails/review EGD offer/attend conf call w all parties	MR	0.5
20171122	emails/attend conf call w intervenors/attend conf call w all parties/p. call w. J. Girvan	MR	1.0
20171123	emails/conference call w all parties/conf call with intervenors/p. call w E. Blanchard/review EGD materials sent/p. call w. D. Stevens	MR	1.1
20171124	emails	MR	0.1
20171127	emails/preliminary review of settlement proposal and provide preliminary edits and comments	MR	0.8
20171128	emails/additional edits to settlement proposa/p. call T. Brett	MR	0.4
20171129	emails/review revised settlement proposal and DAO	MR	0.6
20171201	emails/review staff sub	MR	0.3
20171204	attend presentation hearing/disc w parties who attended to discuss next steps	MR	3.3
20171204	emails/conf call w parties re: settlement/p. call w. David Stevens	MR	1.5
20171205	draft proposed wording/emails/conf call w intervenors/many emails/p. call w T. Brett/coordinate offer/p. call w. R. Higgins	MR	3.1
20171206	conf call w parties/review revised wording for offer/many emails/multiple p. calls w D. Stevens/review and draft amended proposal	MR	3.0
20171207	review decision	MR	0.2
20180112	emails/review revised DAO	MR	0.2
20180113	review DAO and draft submissions	MR	2.0
20180119	review staff sub	MR	0.3
20180123	finalize and file sub/review other parties sub	MR	0.4
20180202	review reply submission	MR	0.2
20180222	review decision on AO/emails	MR	0.3
			69.8