



**BY EMAIL and RESS**

**Jay Shepherd**  
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Direct: 416-804-2767

May 10, 2018  
Our File No. 20170024

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2017-0024 – Alectra 2018 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.

This was the first ICM application for Alectra, and the first ICM under the new ten year deferred rebasing period for mergers. It also included the filing of Enersource's first Distribution System Plan. The amounts involved, both in the immediate year, and in the remaining years of deferral, were and are substantial, and there were additional issues relating to accounting matters. The proceeding had a two day settlement conference, without a settlement, and a two day technical conference. In addition to final argument, it also required submissions relating to an unexpected accounting issue for which the Board established a deferral account.

The attached cost claim has allocated the work on the deferral account and submissions (8.1 hours) and the work reviewing the DRO (3.0 hours) to the category of Argument.

SEC counsel Jay Shepherd had the lead for this matter. Co-counsel Mark Rubenstein assisted periodically, but his time has not been claimed.

**Shepherd Rubenstein** Professional Corporation | **Regulatory Law**  
2200 Yonge Street, Suite 1302 T. (416) 483-3300 F. (416) 483-3305  
Toronto, ON M4S 2C6 shepherdrubenstein.com



All of which is respectfully submitted.

Yours very truly,

**SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION**

A handwritten signature in black ink, appearing to read "Jay Shepherd", written over a faint, light-colored rectangular stamp or watermark.

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.**

|                    |   |                          |                           |
|--------------------|---|--------------------------|---------------------------|
| <b>File # EB-</b>  | <b>2017-0024</b>                                    | <b>Process:</b>          | <b>Alectra 2018 Rates</b> |
| <b>Party:</b>      | <b>School Energy Coalition</b>                      | <b>Affiant's Name:</b>   | <b>Jay Shepherd</b>       |
| <b>HST Number:</b> | <b>83673-5464-RT0001</b>                            | <b>HST Rate Ontario:</b> | <b>13.00%</b>             |
|                    | 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 **May 11, 2018**.  
(date)

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits**

**File #** EB- 2017-0024 **Process:** Alectra 2018 Rates

**Party:** School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

|                             |           |                  |
|-----------------------------|-----------|------------------|
| Legal/consultant/other fees | \$        | 63,129.00        |
| Disbursements               | \$        | -                |
| HST                         | \$        | 8,206.77         |
| <b>Total Cost Claim</b>     | <b>\$</b> | <b>71,335.77</b> |

**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>2017-0024</u>                                    | Process: <u>Alectra 2018 Rates</u>                             |
| Party: <u>School Energy Coalition</u>                          | Service Provider Name: <u>Jay Shepherd</u>                     |
| <b>SERVICE PROVIDER TYPE</b> (check one)                       | Year Called to Bar   |
| Legal Counsel <input checked="" type="checkbox"/>              | <input type="text" value="1980"/>                              |
| Articling Student/Paralegal <input type="checkbox"/>           |  |
| Consultant <input type="checkbox"/>                            |  |
| Analyst <input type="checkbox"/>                               |  |
| Completed Years Practising/Years of Relevant Experience        | <input type="text" value="38"/>                                |
| Hourly Rate:   | <input type="text" value="\$330"/>                             |
| 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               |
| <b>Pre-hearing Conference</b>      |       |             |                     |                    |                     |
| Preparation                        | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| Attendance                         | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| <b>Technical Conference</b>        |       |             |                     |                    |                     |
| Preparation                        | 42.2  | \$ 330.00   | \$ 13,926.00        | \$ 1,810.38        | \$ 15,736.38        |
| Attendance                         | 12.0  | \$ 330.00   | \$ 3,960.00         | \$ 514.80          | \$ 4,474.80         |
| <b>Interrogatories</b>             |       |             |                     |                    |                     |
| Preparation                        | 16.1  | \$ 330.00   | \$ 5,313.00         | \$ 690.69          | \$ 6,003.69         |
| Responses                          | 22.7  | \$ 330.00   | \$ 7,491.00         | \$ 973.83          | \$ 8,464.83         |
| <b>Issues Conference</b>           |       |             |                     |                    |                     |
| Preparation                        | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| Attendance                         | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| <b>ADR - Settlement Conference</b> |       |             |                     |                    |                     |
| Preparation                        | 9.7   | \$ 330.00   | \$ 3,201.00         | \$ 416.13          | \$ 3,617.13         |
| Attendance                         | 9.0   | \$ 330.00   | \$ 2,970.00         | \$ 386.10          | \$ 3,356.10         |
| Proposal Preparation               | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| <b>Argument</b>                    |       |             |                     |                    |                     |
| Preparation                        | 79.6  | \$ 330.00   | \$ 26,268.00        | \$ 3,414.84        | \$ 29,682.84        |
| <b>Oral Hearing</b>                |       |             |                     |                    |                     |
| Preparation                        | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| Attendance                         | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| <b>Other Conferences</b>           |       |             |                     |                    |                     |
| Preparation                        | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| Attendance                         | -     | \$ 330.00   | \$ -                | \$ -               | \$ -                |
| <b>Case Management</b>             |       |             |                     |                    |                     |
| Preparation                        | -     | \$ 170.00   | \$ -                | \$ -               | \$ -                |
| <b>TOTAL SERVICE PROVIDER FEES</b> |       |             | <b>\$ 63,129.00</b> | <b>\$ 8,206.77</b> | <b>\$ 71,335.77</b> |

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- 2017-0024

Process: Alectra 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:                                   |          |      | \$ -  |
| <b>TOTAL DISBURSEMENTS:</b>              |          |      |       |
|  | \$ -     | \$ - | \$ -  |

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





| Date     | Explanation  | LWYP | IMR | JCS |
|----------|--|------|-----|-----|
| 20170707 | Review prefiled evidence, Many emails  | JCS  |     | 0.5 |
| 20170708 | Review prefiled evidence, Many emails  | JCS  |     | 0.2 |
| 20170711 | Draft and file Notice of Intervention, Various emails  | JCS  |     | 0.3 |
| 20170713 | Review DSP and attachments   | JCS  |     | 0.5 |
| 20170811 | Review evidence  | JCS  |     | 2.0 |
| 20170822 | Review prefiled evidence   | JCS  |     | 3.0 |
| 20170824 | Many emails  | JCS  |     | 0.3 |
| 20170825 | Many emails  | JCS  |     | 0.1 |
| 20170828 | review BOMA letter/email   | IMR  | 0.1 |     |
| 20170829 | Review Torys letter  | JCS  |     | 0.2 |
| 20170906 | Review evidence  | JCS  |     | 1.0 |
| 20170908 | Review PO #1 and scheduling  | JCS  |     | 0.6 |
| 20170912 | Review PWU correspondence and various emails   | JCS  |     | 0.2 |
| 20170917 | Review evidence, Prep for IRS  | JCS  |     | 2.6 |
| 20170918 | Review staff IRS, Many emails, Review PWU appeal   | JCS  |     | 1.7 |
| 20170919 | Draft and file interrogatories   | JCS  |     | 2.9 |
| 20170920 | Review IRS of others   | JCS  |     | 0.7 |
| 20170921 | Review IRS of others   | JCS  |     | 0.4 |
| 20170922 | Many emails  | JCS  |     | 0.1 |
| 20171011 | Review interrogatory responses, Many emails  | JCS  |     | 2.0 |
| 20171013 | Many emails, Review appeal decision  | JCS  |     | 0.1 |
| 20171016 | Many emails, Review issues list  | JCS  |     | 0.4 |
| 20171017 | Many emails, Issue list debate   | JCS  |     | 1.4 |
| 20171018 | review evidence, Many emails   | JCS  |     | 1.3 |
| 20171020 | Review IR responses, ADR prep, Many emails   | JCS  |     | 2.4 |
| 20171021 | Review IR Responses, Many emails   | JCS  |     | 2.0 |
| 20171022 | Review IR responses, Prep for intervenor meeting, Many emails  | JCS  |     | 4.6 |
| 20171023 | Intervenor conference call, Review IR responses, Many emails   | JCS  |     | 7.3 |
| 20171023 | disc w JCS re: strategy  | MR   | 0.4 |     |
| 20171024 | Questions for Applicant, Prep for ADR, Many emails, Review Warren letter, Review PO #2 and issues list | JCS  |     | 8.1 |
| 20171025 | Attend at ADR, Many emails, Prep for day 2   | JCS  |     | 5.8 |
| 20171025 | disc w JCS   | MR   | 0.2 |     |
| 20171026 | Attend at ADR, Many emails, Meet with Mark, Research   | JCS  |     | 4.8 |
| 20171027 | Many emails  | JCS  |     | 0.3 |
| 20171031 | Many emails  | JCS  |     | 0.3 |
| 20171101 | Many emails  | JCS  |     | 0.3 |
| 20171102 | Many emails, Research re Z-factors   | JCS  |     | 2.3 |
| 20171102 | disc w JCS and provide research assistance on z-factor issue   | MR   | 1.0 |     |
| 20171103 | Draft and file submissions, Many emails, Debate on ADR confidentiality                                 | JCS  |     | 4.6 |
| 20171103 | review draft issues letter and provide comment/emails/review other parties comments                    | MR   | 0.5 |     |
| 20171106 | Review applicant submissions, Many emails  | JCS  |     | 0.4 |
| 20171106 | review reply letter/email  | MR   | 0.2 |     |
| 20171108 | Many emails  | JCS  |     | 0.2 |
| 20171110 | Submissions re oral hearing, Many emails, Review responses to supplementary questions                  | JCS  |     | 1.8 |
| 20171117 | Review issues list decision and PO, Scheduling, Many emails  | JCS  |     | 0.6 |
| 20171117 | review PO  | MR   | 0.2 |     |
| 20171123 | Analysis and review  | JCS  |     | 3.0 |
| 20171124 | Review interrogatory responses, Research   | JCS  |     | 2.0 |
| 20171126 | Review interrogatory responses   | JCS  |     | 3.1 |
| 20171127 | Review materials for technical conference  | JCS  |     | 4.0 |
| 20171128 | Prep for technical conference, Draft and file areas of interest, Review AI of others                   | JCS  |     | 8.3 |
| 20171129 | Prep for technical conference, Many emails, Review AI of others  | JCS  |     | 7.6 |

|          |  |     |     |       |
|----------|--|-----|-----|-------|
| 20171130 | Attend at technical conference, Many emails, Prep for Day 2  | JCS |     | 8.1   |
| 20171201 | Prep for day 2, Attend at technical conference, Many emails, Meet with Mark                          | JCS |     | 7.3   |
| 20171203 | Review notes, Review transcripts   | JCS |     | 1.5   |
| 20171205 | Review transcripts of technical conference   | JCS |     | 2.3   |
| 20171206 | Review transcripts of technical conference   | JCS |     | 0.7   |
| 20171207 | Draft, revise and file submissions on DV accounts, Review submissions of others, Many emails         | JCS |     | 6.5   |
| 20171208 | Review further submissions   | JCS |     | 1.2   |
| 20171215 | Review TC undertakings and spreadsheet, Many emails  | JCS |     | 1.6   |
| 20171216 | Review models  | JCS |     | 0.4   |
| 20171220 | Review decision and accounting order   | JCS |     | 0.2   |
| 20171220 | review decision  | MR  | 0.2 |       |
| 20171222 | Review argument in chief   | JCS |     | 1.3   |
| 20171229 | Review issues, Argument prep   | JCS |     | 2.0   |
| 20180103 | Prep for argument  | JCS |     | 0.8   |
| 20180105 | Review transcripts, Drafting argument, Outline   | JCS |     | 4.0   |
| 20180106 | Review transcripts, Drafting argument, Many emails   | JCS |     | 4.8   |
| 20180107 | Review evidence, Drafting argument   | JCS |     | 6.0   |
| 20180108 | Review evidence and transcripts  | JCS |     | 2.3   |
| 20180109 | Review evidence, Argument prep   | JCS |     | 2.0   |
| 20180110 | Review evidence, Drafting argument   | JCS |     | 4.6   |
| 20180112 | Many emails  | JCS |     | 0.3   |
| 20180113 | Review evidence, Drafting argument, Many emails  | JCS |     | 5.0   |
| 20180114 | Circulate draft, Many emails   | JCS |     | 2.1   |
| 20180115 | Drafting final argument, Research, Many emails   | JCS |     | 8.6   |
| 20180115 | p. call w S. Grice re: AMPCO views   | MR  | 0.4 |       |
| 20180116 | Drafting final argument, Review drafts from others, Many emails                                      | JCS |     | 7.7   |
| 20180117 | Finalize and file final argument, Review final arguments of others, Many emails, Review board letter | JCS |     | 6.3   |
| 20180131 | Review Reply   | JCS |     | 1.6   |
| 20180405 | Review decision, Reporting, Scheduling   | JCS |     | 2.2   |
| 20180419 | Review DRO and schedules   | JCS |     | 2.4   |
| 20180423 | Review Staff submissions   | JCS |     | 0.6   |
| 20180503 | Review rate order and reporting  | JCS |     | 0.6   |
|          |  |     | 3.2 | 191.3 |

736 63129  
95.68 8206.77  
831.68 71335.77

