



**BY EMAIL and RESS**

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

July 20, 2018  
Our File: EB20170364

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2017-0364– Hydro One LSL Nextbridge Motion – Cost Claim**

We are counsel for the School Energy Coalition (“SEC”). Enclosed, please find SEC’s cost claim on the motion filed by Nextbridge, on the Board’s form and including docket details.

This was a complicated and unique motion which involved reviewing and analyzing significant amount of material, including a large volume of undertakings filed after a lengthy 2 day technical conference. As the Board noted in its decision on the motion, “[e]vidence resulting from the hearing of the Motion will be used to support the leave to construct applications of both parties.”<sup>1</sup>

SEC notes it has included time under the ‘Other Conferences – Preparation’ category for docket time review the notice of hearing, other correspondence, and the decision, as they do not neatly fall into the other cost claim categories.

Yours very truly,

**Shepherd Rubenstein P.C.**

*Original signed by*

Mark Rubenstein

cc: Wayne McNally, SEC (by email)  
Hydro One Networks Inc. and Nextbridge (by email)

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<sup>1</sup> *Decision and Order* (EB-2017-0364), July 19, 2018, p.12

**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 #</b>	EB-2017-0048	<b>Process:</b>	Hydro One LSL - Nextbridge Motion
<b>Party:</b>	School Energy Coalition	<b>Affiant's Name:</b>	Mark Rubenstein
<b>HST Number:</b>	83673-5464-RT0001	<b>HST Rate Ontario:</b>	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 July 20 2018.  
(date)

**Commissioner for taking Affidavits**

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



**Affidavit and Summary of Fees and Disbursements**

File # **EB-2017-0048** Process: **Hydro One LSL - Nextbridge Motion**

Party: **School Energy Coalition**

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	16,537.00
Disbursements	\$	-
HST	\$	2,149.81
<b>Total Cost Claim</b>	<b>\$</b>	<b>18,686.81</b>

**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

<b>File # EB-</b> <u>EB-2017-0048</u>	<b>Process:</b> <u>Hydro One LSL - Nextbridge Motion</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Mark Rubenstein</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>
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"/>	<b>Completed Years Practising/Years of Relevant Experience</b>
Analyst <input type="checkbox"/>	<b>Hourly Rate:</b> <input type="text" value="\$230"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached	<b>HST Rate Charged (enter %):</b> <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		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
<b>Technical Conference</b>						
Preparation	21.00	\$ 230.00	\$ 4,830.00	\$ 627.90	\$ 5,457.90	
Attendance	19.30	\$ 230.00	\$ 4,439.00	\$ 577.07	\$ 5,016.07	
<b>Interrogatories</b>						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Responses		\$ 230.00	\$ -	\$ -	\$ -	
<b>Issues Conference</b>						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
<b>ADR - Settlement Conference</b>						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -	
<b>Argument</b>						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
<b>Oral Hearing</b>						
Preparation	16.30	\$ 230.00	\$ 3,749.00	\$ 487.37	\$ 4,236.37	
Attendance	13.00	\$ 230.00	\$ 2,990.00	\$ 388.70	\$ 3,378.70	
<b>Other Conferences</b>						
Preparation	2.30	\$ 230.00	\$ 529.00	\$ 68.77	\$ 597.77	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
<b>Case Management</b>						
			\$ -	\$ -	\$ -	
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 16,537.00</b>	<b>\$ 2,149.81</b>	<b>\$ 18,686.81</b>	

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- EB-2017-0048

Process: Hydro One LSL - Nextbridge Motion

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:	-	-	\$ -	\$ -
<b>TOTAL DISBURSEMENTS:</b>		\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20180406	emails/review notice/review motion/review MNO corr/p. call L. Murray (Staff)	MR	1.0
20180417	review HONI letter/emails	MR	0.4
20180427	review PO	MR	0.2
20180430	prel review of additional material filed	MR	0.6
20180502	email/review MNO corr	MR	0.1
20180507	emails/prelim review of intervenor evidence	MR	1.5
20180508	emails	MR	0.2
20180509	emails	MR	0.2
20180510	emails	MR	0.3
20180511	emails/prelim review of intervenor evidence	MR	2.0
20180512	review motion evidence and prepare for tech conference	MR	6.0
20180513	review motion evidence and prepare for tech conference, conduct research	MR	3.5
20180514	emails/p. call w. S. Grice/prepare for tech confernece	MR	0.7
20180515	prepare for tech conference/emails	MR	4.0
20180516	attend technical conference	MR	7.8
20180516	review transcript/prepare for day 2	MR	1.7
20180517	attend technical conference and discussion w parties	MR	11.5
20180518	review PO	MR	0.2
20180522	p. call w. J. Girvan	MR	0.2
20180530	review materials and prepare for hearing/emails	MR	3.0
20180601	finalize compendium/review other parties' BoA	MR	3.0
20180602	prepare submissions for motion hearing	MR	5.0
20180603	prepare submissions for motion hearing	MR	4.5
20180604	attend motion hearing and discussion w parties	MR	8.1
20180604	review transcript/review VECC written sub	MR	0.6
20180605	attend motion and disc w parties	MR	4.9
20180614	review Bd Ltr	MR	0.1
20180619	emails	MR	0.1
20180627	review corr	MR	0.1
20180719	review decision/emails	MR	0.4
			71.9