



BY EMAIL and RESS

Mark Rubenstein
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Dir. 647-483-0113

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

September 10, 2018
Our File: EB20180085

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2018-0085 – Ontario Power Generation Inc. Motion to Review – Cost Claim

We are counsel for the School Energy Coalition ("SEC"). Enclosed, please find SEC's cost claim on the motion to review brought by Ontario Power Generation Inc., on the Board's form and including docket details. The outcome motion was very important to SEC as it involved the potential for a large retrospective collection from ratepayers of past amounts, as well as raising important broader issues regarding the Board's authority to determine the appropriate effective date of rates.

Yours very truly,
Shepherd Rubenstein P.C.

Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
Ontario Power Generation Inc. and Interested Parties (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-	EB-2018-0085	Process:	OPG Motion to 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 **September 10 2018**.
(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- EB-2018-0085

Process: OPG Motion to Review

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	8,724.00
Disbursements	\$	237.66
HST	\$	1,165.02
Total Cost Claim	\$	10,126.68

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-2018-0085</u>	Process: <u>OPG Motion to 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 checked="" type="checkbox"/>	2011	6
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		

Hourly Rate:	\$230
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %):
<input type="checkbox"/> CV provided within previous 24 months	13.0%

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		\$ 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	25.30	\$ 230.00	\$ 5,819.00	\$ 756.47	\$ 6,575.47
Oral Hearing					
Preparation	4.00	\$ 230.00	\$ 920.00	\$ 119.60	\$ 1,039.60
Attendance	1.60	\$ 230.00	\$ 368.00	\$ 47.84	\$ 415.84
Other Conferences					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 7,107.00	\$ 923.91	\$ 8,030.91

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2018-0085

Process: OPG Motion to 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

File # EB- <u>EB-2018-0085</u>	Process: <u>OPG Motion to Review</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p>SERVICE PROVIDER TYPE (check one)</p> <p>Legal Counsel <input type="checkbox"/></p> <p>Articling Student/Paralegal <input type="checkbox"/></p> <p>Consultant <input type="checkbox"/></p> <p>Analyst <input type="checkbox"/></p> <p>For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months</p> </div> <div style="width: 20%;"> <p>Year Called to Bar</p> <p style="border: 1px solid black; padding: 2px; text-align: center;">1980</p> </div> <div style="width: 40%;"> <p>Completed Years Practising/Years of Relevant Experience</p> <p style="border: 1px solid black; padding: 2px; text-align: center;">20</p> <p>Hourly Rate: \$330</p> <p>HST Rate Charged (enter %): 13.0%</p> </div> </div>	

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		\$ 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	3.10	\$ 330.00	\$ 1,023.00	\$ 132.99	\$ 1,155.99
Oral Hearing					
Preparation	1.80	\$ 330.00	\$ 594.00	\$ 77.22	\$ 671.22
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 1,617.00	\$ 210.21	\$ 1,827.21

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



File # EB- EB-2018-0085

Process: OPG Motion to Review

Party: School Energy Coalition

Service Provider Name: Jay Shepherd

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy		\$ -	\$ -
Printing	\$ 237.66	\$ 30.90	\$ 268.56
Courier		\$ -	\$ -
Telephone/Fax		\$ -	\$ -
Transcripts		\$ -	\$ -
Travel: Air		\$ -	\$ -
Travel: Car		\$ -	\$ -
Travel: Rail		\$ -	\$ -
Travel (Other):		\$ -	\$ -
Parking		\$ -	\$ -
Taxi		\$ -	\$ -
Accommodation		\$ -	\$ -
Meals		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
Other:		\$ -	\$ -
TOTAL DISBURSEMENTS:	\$ 237.66	\$ 30.90	\$ 268.56

Date	Explanation	Lwyr	Hours
20180222	Many emails	JCS	0.1
20180227	Review PO decision and scheduling	JCS	0.5
20180227	emails	MR	0.2
20180307	consider issues/research/review record	MR	2.3
20180311	review submission/research	MR	3.0
20180312	research	MR	1.1
20180315	emails	MR	0.1
20180316	Review staff submissions	JCS	0.6
20180316	emails/research/outline arg/review Staff arg	MR	1.7
20180317	draft argument	MR	7.0
20180318	draft argument	MR	5.5
20180320	Review and edit submissions	JCS	1.1
20180320	edit and revise argument/emails/disc w JCS	MR	4.0
20180321	Meet with Mark re submissions	JCS	0.3
20180321	prepare compendium and book of authorities	MR	2.5
20180322	Review additional submissions, Review final SEC filing, Meet with Mark	JCS	1.8
20180405	Review PO #2	JCS	0.1
20180405	prepare for hearing/review PO	MR	1.5
20180410	attend motion hearing	MR	1.6
20180411	Meet with Mark re hearing	JCS	0.4
20180830	emails/review decision	MR	0.4
			35.8

EXPENSES

	Charge	Tax	Total
20180405 Printing	\$237.66	\$30.90	\$268.56

EB-2018-0085 OPG MRV



Invoice 081060060

Bill To: Shepherd Rubenstein Professional Corporation
 Attn: Mark Rubenstein
 2200 Yonge St Suite 1302
 Toronto ON M4S 2C6

Account: 622786
 Date: April 5, 2018

Ordered By: Mark Rubenstein
 Phone: (647) 483-0113
 Customer PO:

Pick Up: SAME

TPH Account Hub:

View, reprint and pay invoices online.
www.tph.ca/tphaccounthub for more info.

Job Name: SEC OPG MRV CBA Manual

Item	1-Sided	2-Sided	Quantity	Description	HST	Job Price
A	1		1	File processing - pre-flight, virus scan, temp storage	X	\$3.90
/ File Handling: / Insert: tabs						
B		1	4	B-W Copies With Buff Lower Tabs 1/1 Cerlox Bind	X	\$233.76
Digital B&W Prints: / Black Ink: / 8.5x11: / Text: / Bind: cerlox						

Branch Contact: Christina Stark
 Address: 2200 Yonge Street
 2nd Flr. - Concourse Level
 Toronto, ON, M4S 2C6
 Phone: 416-482-2260

Net Sales	\$237.66
Shipping	\$0.00
Sub Total	\$237.66
HST	\$30.90
CAD Total Price	\$268.56

REMIT TO: The Printing House Ltd., 1403 Bathurst Street, Toronto, ON M5R 3H8, Tel (416) 536-6113, 1-866-TPH-Direct (866-874-3473)
 TERMS: Payment due within 10 days of invoice date. Interest of 1.5% per month (18% P.A.) will be charged on all overdue accounts.
 H.S.T. / G.S.T.# 105242887RT Q.S.T.# 1202417066