



BY EMAIL and RESS

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October 31, 2018
Our File No. 20180085

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
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Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2018-0085 – OPG Motion – AMPCO Motion for Review

We are counsel for the School Energy Coalition (“SEC”). We have seen the Notice of Motion of AMPCO in this matter. While it is the longstanding policy of the School Energy Coalition not to comment on, or intervene in, matters respecting cost awards for other parties, the AMPCO Motion raises an issue of general application that we believe is important for the Board and all stakeholders. We are writing this letter of comment on behalf of SEC to provide input to assist the Board.

The issue raised by the decision under review is cost eligibility of activities after a decision is rendered. In our submission, the EB-2018-0085 costs decision (the “Decision”) proposes a new approach to costs that is not only contrary to many hundreds of previous costs decisions, but also inconsistent with the role the Board and all stakeholders want cost-eligible intervenors (such as customer groups) to play.

SEC is probably typical in terms of the arc of activity played by consultants and counsel during a matter before the Board. From the moment we identify a matter that is of concern to our clients, we maintain a connection with them related to that matter to keep them engaged and informed. At the end, we review the decision, and report to our

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clients on the outcome. All of the steps in the ongoing engagement between customer groups and their representatives (in the manner determined by the customer groups to be most effective for their needs) is essential to proper participation in Board processes that is useful to the Board.

The Board needs this. The Board needs engaged customer groups, working closely with their representatives so that their voice is heard and understood. The Board wants counsel and consultants to interact regularly with their client customers, and wants the customers to understand what the Board is doing.

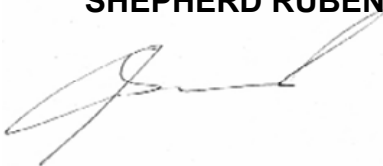
The Decision in effect says that the interactions between representatives and customers are not important to the Board. SEC disagrees.

Counsel and consultants are there to be the voice of, in this case, the customers. Engagement between customers and their representatives is an important element of this. The Board should not be discouraging the actions that customers and their representatives take to ensure that the customers' voices are heard.

The Decision is based on the premise that actions after a decision is issued do not assist the Board. That entirely misses the point. The active participation of customers assists the Board. That can only happen if the customers and their representatives can interact closely and thoroughly throughout the process, including reporting at the end.

All of which is respectfully submitted.

Yours very truly,
SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION



Jay Shepherd

cc: Wayne McNally, SEC (email)
Interested Parties