



BY EMAIL and RESS

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November 8, 2018
Our File No. 20170038

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2017-0038 – Erie Thames 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.

SEC counsel Jay Shepherd had the lead for this matter. Co-counsel Mark Rubenstein assisted periodically, but his time has not been claimed. Time spent by Jay Shepherd at the Community Day was not included. This was the first matter dealt with under Proportionate Review, which had an impact on the time spent. However, in the end the parties were able to settle all issues.

All of which is respectfully submitted.

Yours very truly,

SHEPHERD RUBENSTEIN PROFESSIONAL CORPORATION

A handwritten signature in black ink, appearing to read "Jay Shepherd", is written over a faint, light-colored signature line.

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.

File # EB- <u>2017-0038</u>	Process: <u>Erie Thames 2018 Rates</u>
Party: <u>School Energy Coalition</u>	Affiant's Name: <u>Jay Shepherd</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, 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 November 9, 2018.
(date)

Commissioner for taking Affidavits

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

File # EB- 2017-0038 Process: Erie Thames 2018 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	22,440.00
Disbursements	\$	-
HST	\$	2,917.20
Total Cost Claim	\$	25,357.20

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



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2017-0038</u>	Process: <u>Erie Thames 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	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1980"/>	<input type="text" value="38"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <input type="text" value="\$330"/>
<input type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <input type="text" value="13.0%"/>

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	24.7	\$ 330.00	\$ 8,151.00	\$ 1,059.63	\$ 9,210.63
Responses	6.8	\$ 330.00	\$ 2,244.00	\$ 291.72	\$ 2,535.72
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	4.5	\$ 330.00	\$ 1,485.00	\$ 193.05	\$ 1,678.05
Attendance	17.2	\$ 330.00	\$ 5,676.00	\$ 737.88	\$ 6,413.88
Proposal Preparation	14.8	\$ 330.00	\$ 4,884.00	\$ 634.92	\$ 5,518.92
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 22,440.00	\$ 2,917.20	\$ 25,357.20

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2017-0038

Process: Erie Thames 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
20171209	Review evidence	JCS	1.0
20171211	Review evidence	JCS	1.0
20171212	Review evidence, Review external material, (attend at community day - not included in time docketed)	JCS	3.4
20171213	Review evidence	JCS	2.0
20180220	Review application	JCS	1.0
20180222	Review and file NOI	JCS	0.3
20180525	Telephone call with Scott Stoll, Various emails	JCS	0.3
20180614	Review scope of review decision, Various emails	JCS	0.8
20180627	Review Notice of Application	JCS	0.1
20180709	Review and refile Notice of Intervention	JCS	0.3
20180720	Review PO #1 and scheduling	JCS	0.3
20180725	Review evidence, Review issues list submissions, Many emails	JCS	2.5
20180731	Review reply submissions	JCS	0.3
20180806	Review evidence	JCS	1.0
20180809	Review evidence, Review decision and appeal, Many emails	JCS	2.0
20180814	Review evidence, Draft interrogatories, Many emails	JCS	4.4
20180815	Draft, revise and file interrogatories, Review interrogatories of others, Many emails	JCS	4.0
20180831	Review interrogatory responses, Various emails	JCS	0.5
20180905	Many emails	JCS	0.4
20180906	Many emails	JCS	0.4
20180907	Many emails, Analysis of ADR scope, Review staff clarification questions	JCS	0.9
20180909	Prep for ADR	JCS	2.0
20180910	Many emails, Review clarification questions	JCS	1.1
20180911	Prep for ADR, Review evidence, Benchmarking analysis, Review chart of comparative standby rates, Many emails	JCS	6.0
20180912	Attend at settlement conference, Many emails, Review new material and business plan, Analysis of options for next day	JCS	11.2
20180913	Attend at settlement conference, Many emails	JCS	7.2
20180914	ADR Notes	JCS	1.0
20180915	Review models	JCS	0.5
20180917	Many emails	JCS	0.2
20180920	Intervenor conference call, Many emails, Edit draft agreement	JCS	4.9
20180921	Review of schedules, Many emails, Review comments of others	JCS	2.6
20180923	Many emails, Review comments of others	JCS	0.3
20180924	Review staff comments, Many emails, Review comments of others	JCS	1.1

20180925	Review Board letter, Many emails	JCS	0.3
20181001	Many emails, Review new draft and appendices	JCS	1.4
20181002	Many emails	JCS	0.2
20181003	Many emails	JCS	0.2
20181004	Many emails	JCS	0.5
20181101	Review Decision, Reporting	JCS	0.4
	Total		68.0

Fees	\$22,440.00
HST	\$2,917.20
Total claim	\$25,357.20