



**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

December 13, 2018  
Our File: EB20170319

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2017-0319 – Enbridge RNG/Geothermal Application – Revised Cost Claim**

We are counsel for the School Energy Coalition ("SEC"). Enclosed, please find SEC's cost claim on the Board's form and including docket details. This was a unique application, in which the Geothermal aspect of the proposal was withdrawn midway through the proceeding, but after interrogatory responses had already been provided.

SEC notes that time spent with respect to the submissions on the issue list have been categorized under the 'Issues Conference – Preparation' category on the cost claim form.

Yours very truly,  
**Shepherd Rubenstein P.C.**

*Original signed by*

Mark Rubenstein

cc: Wayne McNally, SEC (by email)  
Enbridge Gas Distribution Inc. (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.**

<b>File # EB-</b> <u>EB-2017-0319</u>	<b>Process:</b> <u>EGD RNG/Geothermal</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Affiant's Name:</b> <u>Mark Rubenstein</u>
<b>HST Number:</b> <u>83673-5464-RT0001</u>	<b>HST Rate Ontario:</b> <u>13.00%</u>
Full Registrant <input checked="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 December 5 2018.  
(date)

**Commissioner for taking Affidavits**

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



**Affidavit and Summary of Fees and Disbursements**

File # EB- EB-2017-0319

Process: EGD RNG/Geothermal

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	11,469.00
Disbursements	\$	-
HST	\$	1,490.97
<b>Total Cost Claim</b>	<b>\$</b>	<b>12,959.97</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-2017-0319</u>	<b>Process:</b> <u>EGD RNG/Geothermal</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Mark Rubenstein</u>
<p><b>SERVICE PROVIDER TYPE</b> (check one)</p> <p> <input checked="" type="checkbox"/> Legal Counsel  <input type="checkbox"/> Articling Student/Paralegal  <input type="checkbox"/> Consultant  <input type="checkbox"/> Analyst         </p> <p>For Consultant/Analyst: <input type="checkbox"/> CV attached  <input type="checkbox"/> CV provided within previous 24 months</p>	<p><b>Year Called to Bar</b></p> <p style="text-align: center;">2011</p> <p><b>Completed Years Practising/Years of Relevant Experience</b></p> <p style="text-align: center;">7</p> <p><b>Hourly Rate:</b> <u>\$230</u></p> <p><b>HST Rate Charged (enter %):</b> <u>13.0%</u></p>

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	1.50	\$ 230.00	\$ 345.00	\$ 44.85	\$ 389.85
Attendance	7.70	\$ 230.00	\$ 1,771.00	\$ 230.23	\$ 2,001.23
<b>Interrogatories</b>					
Preparation	5.40	\$ 230.00	\$ 1,242.00	\$ 161.46	\$ 1,403.46
Responses	4.50	\$ 230.00	\$ 1,035.00	\$ 134.55	\$ 1,169.55
<b>Issues Conference</b>					
Preparation	2.30	\$ 230.00	\$ 529.00	\$ 68.77	\$ 597.77
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	16.70	\$ 230.00	\$ 3,841.00	\$ 499.33	\$ 4,340.33
<b>Oral Hearing</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Case Management</b>			\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 8,763.00	\$ 1,139.19	\$ 9,902.19

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- EB-2017-0319

Process: EGD RNG/Geothermal

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>	\$ -	\$ -	\$ -

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2017-0319</u>	Process: <u>EGD RNG/Geothermal</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><b>SERVICE PROVIDER TYPE</b> (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%; text-align: center;"> <p>Year Called to Bar</p> <p><u>1980</u></p> </div> <div style="width: 30%; text-align: center;"> <p>Completed Years Practising/Years of Relevant Experience</p> <p><u>25</u></p> </div> </div>	
	Hourly Rate: <u>\$330</u>
	HST Rate Charged (enter %): <u>13.0%</u>

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		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	2.00	\$ 330.00	\$ 660.00	\$ 85.80	\$ 745.80
Responses		\$ 330.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation	0.20	\$ 330.00	\$ 66.00	\$ 8.58	\$ 74.58
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	6.00	\$ 330.00	\$ 1,980.00	\$ 257.40	\$ 2,237.40
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>			\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 2,706.00	\$ 351.78	\$ 3,057.78

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- EB-2017-0319

Process: EGD RNG/Geothermal

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>	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20180117	emails and receive application	MR	0.2
20180119	Review application	JCS	0.2
20180122	Review application, Report	JCS	1.1
20180122	emails	MR	0.2
20180222	Review issues; Meet with Mark	JCS	0.3
20180222	emails/review Notice/disc w JCS	MR	0.2
20180302	emails/draft Nol	MR	0.3
20180305	file Nol	MR	0.1
20180327	emails/review PO	MR	0.1
20180402	Meet with Mark	JCS	0.4
20180402	draft issues list sub/disc w JCS	MR	1.3
20180403	finalize and file sub/review other parties sub/emails/p. call w. B. Harper/review other parties sub	MR	0.6
20180404	Review issues list submissions	JCS	0.2
20180410	review responding comments on issues list	MR	0.3
20180423	emails/review PO	MR	0.1
20180425	review materials/research	MR	0.5
20180426	emails/prel review of Staff IRs	MR	0.3
20180430	draft IRs	MR	2.0
20180501	draft IRs	MR	1.0
20180502	finalize and file IRs/review other parties IRs/emails	MR	0.5
20180517	emails/prelim review of IRRs	MR	0.3
20180530	review PO	MR	0.1
20180619	emails/p. call w. J. Vellone	MR	0.4
20180620	emails/attend conference call w intervenors	MR	0.4
20180622	review IRRs	MR	0.9
20180624	review IRRs	MR	1.5
20180625	emails/review letters and corr	MR	0.4
20180626	emails/review EGD ltr/review IRR and prepare for tech conf/review Bd letter	MR	1.5
20180627	attend tech conference/disc w parties	MR	7.7
20180713	emails/prel review of UT	MR	0.3
20180716	emails	MR	0.1
20180718	review corr	MR	0.1
20180807	Review argument in chief	JCS	0.5
20180807	prel review of Arg in Chief	MR	0.5
20180810	emails	MR	0.1
20180817	emails	MR	0.3
20180820	emails/research	MR	1.5
20180821	draft argument	MR	4.4
20180822	emails/draft argument	MR	2.5
20180823	emails/disc w JCS/draft argument	MR	1.5
20180826	Review argument, Research	JCS	0.6
20180827	Review and revise argument, Research, Many emails	JCS	2.0
20180827	emails w JCS/review argument	MR	2.5
20180828	Meet with Mark, Further edits to argument, Review and revise, Many emails, Review submissions of others	JCS	2.6
20180828	disc w JCS/draft and edit sub/review other parties sub	MR	2.6
20180829	Many emails, Review further material	JCS	0.3
20180902	review CCC arg	MR	0.3
20180914	review EGD corr	MR	0.1
20181018	review decision/emails	MR	0.4
			46.3