



BY EMAIL and RESS

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February 8, 2019
Our File No. 20170127/8

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2017-0127/8 – DSM Mid-Term Review – SEC Cost Claim

We are counsel for the School Energy Coalition (“SEC”). We enclose the SEC cost claim for the above-mentioned proceeding, on the Board’s form and including docket details.

Because SEC was well over the Board’s limits for hours on each aspect of the consultation, SEC has just claimed the maximum for each. Senior counsel Jay Shepherd had primary carriage of this matter. Time spent by Mark Rubenstein to assist has not been claimed.

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 light grey signature line.

Jay Shepherd

cc: Wayne McNally, SEC (email)
Board Members
Interested Parties

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation 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 Notice of Hearing for Cost Awards. Please ensure all required 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 present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: _____ Country: _____
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" 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 must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- **Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

File # EB-	2017-0127 & EB-2017-0128	Process:	Natural Gas DSM Framework Mid-Term Review
Party:	School Energy Coalition	Affiant's Name:	Jay Shepherd
HST Number:	83673-5464-RT0001	HST Rate Ontario:	13.0%
	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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement 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 **February 11, 2019**
(date)

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Affidavit and Summary of Fees and Disbursements



Commissioner for taking Affidavits

File # EB- 2017-0127 & EB-2017-0128

Process: Natural Gas DSM Framework Mid-Term Review

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$13,200.00
Disbursements	\$0.00
HST	\$1,716.00
Total Cost Claim	\$14,916.00

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

Detail of Fees and Disbursements Being Claimed

Statement of Fees Being Claimed

Statement of Fees being claimed for Eligible Activity is found on the third tab of this workbook.

Statement(s) of Disbursements Being Claimed

Statement of Disbursements being claimed is found on the fourth tab of this workbook.

Ontario Energy Board

COST CLAIM FOR CONSULTATIONS

Affidavit and Summary of Fees and Disbursements



Individual Whose Costs are Being Claimed

Name: Jay Shepherd		
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	Year Called to Bar: 1980	Completed Years Practicing/Years of Relevant Experience: 38
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>	

Name:		
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	Year Called to Bar:	Completed Years Practicing/Years of relevant experience:
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name:		
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	Year Called to Bar:	Completed Years Practicing/Years of relevant experience:
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name:		
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	Year Called to Bar:	Completed Years Practicing/Years of relevant experience:
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Name:		
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	Year Called to Bar:	Completed Years Practicing/Years of relevant experience:
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input type="checkbox"/>	

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Affidavit and Summary of Fees and Disbursements





Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Fees Being Claimed

File # EB- 2017-0127 & EB-2017-0128

Process Natural Gas DSM Framework Mid-Term Review

Party School Energy Coalition

HST Rate: 13%

Activity	Hourly rate	1			2			3		
		Written comments on the two specific issues identified in Part 1 of the Review – September 1, 2017	Up to 8 Hours	Preparation for, attendance at, a Stakeholder Meeting – September 6 & 7, 2018	Up to 20 Hours	Written comments following Stakeholder Meeting – September 28, 2018	Up to 12 Hours	Subtotal	HST	Total
Individual Whose Fees are Being Claimed										
Jay Shepherd	\$330.00	8.00	20.00	12.00			\$13,200.00	\$1,716.00	\$14,916.00	
0							\$0.00	\$0.00	\$0.00	
0							\$0.00	\$0.00	\$0.00	
0							\$0.00	\$0.00	\$0.00	
0							\$0.00	\$0.00	\$0.00	
							\$13,200.00	\$1,716.00	\$14,916.00	
Total legal/consultant fees: \$14,916.00										

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB- <u>2017-0127 & EB-2017-0128</u>	Process: <u>Natural Gas DSM Framework Mid-Term Revi</u>
Party: <u>School Energy Coalition</u>	

Name of individual whose disbursements are being claimed: Jay Shepherd

HST Rate Ontario: 13.0%

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

1/

Date	Explanation	Lwyr	Hours
20170620	Review Board letter, Meet with Mark, Review prior decision	JCS	0.6
20170704	Draft and file Notice of Intervention	JCS	0.4
20170720	Review MACC Report	JCS	0.6
20170820	Analysis of intial questions	JCS	1.0
20170824	Communications with IGUA, Many emails	JCS	0.7
20170829	emails/prepare for meeting w JCS re: C&T implications	MR	1.2
20170829	Research, Outline submissions, Review BOMA submissions	JCS	3.0
20170830	meeting w JCS re: C&T implications in DSM Midterm review	MR	1.6
20170830	Meet with Mark, Draft submissions	JCS	3.1
20170831	review draft SEC submission and provide comments	MR	0.6
20170831	Draft submissions and circulate, Meet with Mark, Review IGUA draft	JCS	4.3
20170901	Revise and file submissions	JCS	1.1
20170902	Review submissions of others	JCS	2.0
20170905	Review submissions of Union and Enbridge	JCS	2.0
20171002	Review Union submissions	JCS	0.8
20171005	Review reports	JCS	2.0
20171114	Review Enbridge submissions	JCS	1.5
20180212	Review Enbridge letter, Review submissions	JCS	0.4
20180312	Review filed reports	JCS	1.0
20180420	Review utility correspondence, Many emails	JCS	0.3
20180508	Review ED letter, Many emails	JCS	2.0
20180511	Review VECC letter, Draft and send letter, Various emails	JCS	0.8
20180518	Review correspondence	JCS	0.3
20180530	Review Board letter	JCS	0.2
20180727	Various emails	JCS	0.1
20180815	Review agenda, Many emails	JCS	0.6
20180816	Review material from Board, Many emails	JCS	0.7
20180820	Many emails, Review correspondence	JCS	0.4
20180822	Many emails, Review correspondence	JCS	0.3
20180824	Review letters, Many emails	JCS	0.2
20180827	Review materials	JCS	2.1
20180828	Many emails, Review materials	JCS	2.0
20180831	letters, Draft, revise and file letter, Review evidence	JCS	3.4
20180902	Review GEC/ED letter	JCS	0.5
20180904	Prep for stakeholder conference	JCS	5.0
20180905	Prep for stakeholder conference, Many emails, Review agenda	JCS	4.8
20180906	Attend at stakeholder conference, Many emails, Prep for second day, Review presentation materials	JCS	9.0

20180907	Attend at stakeholder conference, Many emails, Analysis of outstanding issues	JCS	3.8
20180910	Draft and circulate letter re procedure, Review Union letter, Many emails	JCS	0.4
20180911	Many emails	JCS	0.2
20180912	Finalize and send letter re procedure	JCS	0.1
20180915	Review background material and decision	JCS	1.6
20180918	Review Board letter, Review evidence	JCS	1.1
20180920	Submissions outline	JCS	1.0
20180921	Review new Union material, Review evidence, Many emails	JCS	2.8
20180924	Many emails, Review evidence, Drafting submissions, Review Enbridge submission	JCS	4.5
20180925	Drafting submissions and circulate part, Many emails	JCS	5.4
20180926	Review utility submissions and materials, Many emails	JCS	4.0
20180927	Review utility submissions and materials	JCS	6.0
20180928	Drafting submissions	JCS	4.5
20180929	Drafting submissions	JCS	7.0
20180930	Finalize and file submissions, Review submissions of others	JCS	8.6
20181001	Review submissions of others	JCS	1.5
20181005	Review Enbridge letter	JCS	0.4
			113.5

Fees Jay	\$36,333.00
Fees Mark	\$782.00
Total Fees	\$37,115.00
HST	\$4,824.95
Total	\$41,939.95
Claimed Fees (40x330)	\$13,200.00
HST	\$1,716.00
Total Claim	\$14,916.00
Underfunded amount	\$27,023.95