

BY EMAIL and RESS

Mark Rubenstein mark@shepherdrubenstein.com Dir. 647-483-0113

> February 25, 2019 Our File: EB20170182

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

#### Re: EB-2017-0182/194/364 - Nextbridge EWT/ Hydro One LSL LTC - Cost Claim

We are counsel for the School Energy Coalition ("SEC"). Enclosed, please find SEC's cost claim on the motion filed by Nextbridge, on the Board's form and including docket details.

This was a unique and complicated proceeding in which SEC was one of a few parties who was involved in all procedural steps, including not just the oral hearing on the competing leave to construct applications, but all steps regarding the review of the construction and development costs of the Nextbridge application. This included interrogatories, a technical conference, an oral hearing, further interrogatories on oral hearing undertakings, and final argument on the Nextbridge's development costs.

SEC notes it has included time under the 'Other Conferences – Preparation' category for docket time, some procedural aspects of the proceeding, and post argument steps including review of the order-in-council and the decisions.

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

Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (by email)

Nextbridge and Hydro One Networks Inc. (by email)



#### **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		
- All claims m	nust be in Canad	lian dollars. If applicable, state e Rate	exchange rate and country o	ne form to assist with calculations.  of initial currency.  Country:  t of Fees Being Claimed" and a "State	ment of
However, on - The cost cla	lly one "Summa aim must be sup	ed") is required for each lawyer, a ry of Fees and Disbursements" co ported by a completed Affidavit in nalyst must be attached unless p	vering the whole of the par signed by a representative o	ty's cost claim should be provided. of the party.	
			·	itemized receipts must be provided.	
File # EB-	EB-2017-018	2/194/364	Process: Nextbridge I	EWT/Hydro One LSL LTC	
Party:	School Energ	y Coalition	Affiant's Name:	Mark Rubenstein	
HST Numbe	er: 83673-	5464-RT0001	HST	Rate Ontario: 13.00%	
		Full Registrant Unregistered Other	– Qualifyi	ing Non-Profit	
			Affidavit		
Ι,		Mark Rubenstein	, of the City/Town of	Toronto	
in the Prov	/ince/State o	f Ontario		, swear or affirm that:	
2. I have exa Being Claime 3. The attach Disbursemer Ontario Ener 4. This cost of	mined all of the ed", "Statement ned "Summary on hts Being Claime gy Board proce claim does not i	documentation in support of thi (s) of Fees Being Claimed" and "Sof Fees and Disbursements Being ed" include only costs incurred an ss referred to above.	s cost claim, including the a tatement(s) of Disbursemer Claimed", "Statement(s) of d time spent directly for the or time spent, by a person the spent directly for the or time spent, by a person the spent, and the spent spent, and the spent s	dge of the matters attested to herein ttached "Summary of Fees and Disbunts Being Claimed". Fees Being Claimed" and "Statement of purposes of the Party's participation at is an employee or officer of the Party is	rsements (s) of n in the
Signature	of Affiant				
Sworn or a	affirmed bef	ore me at the City/Town of	Tor	onto ,	
in the Prov	vince/State o	f Ontario	, on	February 25 2019 (date)	

**Commissioner for taking Affidavits** 



#### **Affidavit and Summary of Fees and Disbursements**

File # EB- EB-2017-0182/194/364 Process: Nextbridge EWT/Hydro One LSL LTC

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed						
Legal/consultant/other fees	\$	48,025.00				
Disbursements	\$	-				
HST	\$	6,243.25				
<b>Total Cost Claim</b>	\$	54,268.25				

#### **Payment Information**

Make cheque payable to: Shepherd Rubenstein Professional Corporation, in tru

Send payment to this address: 2200 Yonge Street

Suite 1302 Toronto, ON

M4S 2C6



File # EB-	EB-2017-0182/194/364		Process: /	cess: Nextbridge EWT/Hydro One LSL LTC				
Party:	School Energy Coalition		Service Pro	ovider Name:	Mark Rubenstein			
			Year Called to		Completed Years Practising/Years of Releva	ant		
	<b>SERVICE PROVIDER TYPE</b>	(check one )	Bar		Experience			
	Legal Counsel	<b>✓</b>	2011		7			
	Articling Student/Paralegal							
	Consultant Analyst				Hourly Rate: \$230	)		
	For Consultant/Analyst:	CV attac			narged (enter % ): 13.0%	<mark>6</mark>		
		CV prov	rided within previou	s 24 months				

Si	Statement of Fees Being Claimed									
	Hours	Но	ourly Rate		Subtotal		HST		Total	
Pre-hearing Conference										
Preparation		\$	230.00	\$	-	\$	-	\$	-	
Attendance		\$	230.00	\$	-	\$	-	\$	-	
Technical Conference										
Preparation	6.60	\$	230.00	\$	1,518.00	\$	197.34	\$	1,715.34	
Attendance	7.80	\$	230.00	\$	1,794.00	\$	233.22	\$	2,027.22	
Interrogatories										
Preparation	19.80	\$	230.00	\$	4,554.00	\$	592.02	\$	5,146.02	
Responses	20.50	\$	230.00	\$	4,715.00	\$	612.95	\$	5,327.95	
Issues Conference										
Preparation		\$	230.00	\$	-	\$	-	\$	-	
Attendance		\$	230.00	\$	-	\$	-	\$	1	
ADR - Settlement Conference										
Preparation		\$	230.00	\$	-	\$	-	\$	-	
Attendance		\$	230.00	\$	-	\$	-	\$	-	
Proposal Preparation		\$	230.00	\$	-	\$	-	\$	-	
Argument										
Preparation	55.60	\$	230.00	\$	12,788.00	\$	1,662.44	\$	14,450.44	
Oral Hearing										
Preparation	36.10	\$	230.00	\$	8,303.00	\$	1,079.39	\$	9,382.39	
Attendance	51.10	\$	230.00	\$	11,753.00	\$	1,527.89	\$	13,280.89	
Other Conferences										
Preparation	7.00	\$	230.00	\$	1,610.00	\$	209.30	\$	1,819.30	
Attendance		\$	230.00	\$	-	\$	-	\$		
Case Management				\$	-	\$	-	\$		
TOTAL SERVICE PROVIDER FEES				\$	47,035.00	\$	6,114.55	\$	53,149.55	



Partv:	School Energy Coalition	Service Provi	dan Nama.	Mark Rubenstein	
File # EB-	EB-2017-0182/194/364	Process:	Nextbridge E	WT/Hydro One LSL LTC	

	Statement of	f Disbursements Being Clain	ned	
		Net Cost	HST	Total
Scanning/Photocop	у		\$ -	\$ -
Printing			\$ -	\$ -
Courier			\$ -	\$ -
Telephone/Fax			\$ -	\$ -
Transcripts			\$ -	\$ -
Travel: Air			\$ -	\$ -
Travel: Car			\$ -	\$ -
Travel: Rail			\$ -	\$ -
Travel (Other):			\$ -	\$ -
Parking			\$ -	\$ -
Taxi			\$ -	\$ -
Accommodation			\$ -	\$ -
Meals			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
TOTAL DISBURSEM	ENTS:	\$ .	- \$ -	\$ -



File # EB-	EB-2017-0182/194/364	-0182/194/364 <b>Process</b> : Nextbr				idge EWT/Hydro One LSL LTC			
Party:	School Energy Coalition			Service P	rovider Name:	Jay Shepherd			
	SERVICE PROVIDER TYPE	(che	Y ck one )	ear Called to Bar		Practising/Yea	ed Years ars of Relevant rience		
	Legal Counsel Articling Student/Paralegal			1980		2	0	]	
	Consultant Analyst					Hourly Rate:	\$330	]	
	For Consultant/Analyst:		CV attache	d d within previo		narged (enter %):	13.0%	]	

St	Statement of Fees Being Claimed									
	Hours	Но	urly Rate	S	ubtotal		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	1.50	\$	330.00	\$	495.00	\$	64.35	\$	559.35	
Oral Hearing										
Preparation		\$	330.00	\$	-	\$	-	\$	-	
Attendance		\$	330.00	\$	-	\$	-	\$	-	
Other Conferences										
Preparation	1.50	\$	330.00	\$	495.00	\$	64.35	\$	559.35	
Attendance		\$	330.00	\$	-	\$	-	\$	-	
Case Management				\$	-	\$	-	\$	-	
TOTAL SERVICE PROVIDER FEES				\$	990.00	\$	128.70	\$	1,118.70	



File # EB-	EB-2017-0182/194/364	<b>Process:</b> Nextbridge E	WT/Hydro One LSL LTC
Party:	School Energy Coalition	Service Provider Name:	Jay Shepherd

	Statement of Dis	bursements Being Claimed	d	
		Net Cost	HST	Total
Scanning/Photocop	у		\$ -	\$ -
Printing			\$ -	\$ -
Courier			\$ -	\$ -
Telephone/Fax			\$ -	\$ -
Transcripts			\$ -	\$ -
Travel: Air			\$ -	\$ -
Travel: Car			\$ -	\$ -
Travel: Rail			\$ -	\$ -
Travel (Other):			\$ -	\$ -
Parking			\$ -	\$ -
Тахі			\$ -	\$ -
Accommodation			\$ -	\$ -
Meals			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
TOTAL DISBURSEMI	ENTS:	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20171024	review applications/disc w JCS/draft notice of intervention	MR	1.2
20171103	review Board letter to HO re: LTC application/emails	MR	0.3
20171107	emails	MR	0.2
20171108	emails	MR	0.1
20171109	p. call w K. Culbert re: Hydro One letter/p. call w. JG	MR	0.5
20171113	email	MR	0.1
20171129	email/review PO	MR	0.2
20171204	review minister letter and EWT needs report	MR	1.2
	review HO letter	MR	0.2
20171208	review Nextbridge Letter	MR	0.3
	p. call w J. Girvan	MR	0.2
	review evidence and UCT materials from designation proceeding/ draft IRs	MR	2.5
	review evidence and UCT materials from designation proceeding/ draft IRs	MR	1.5
	finish, finalize and edit IRs/draft cover letter/file all docs/emails	MR	1.0
	review HO corr/emails	MR	0.1
20180104		MR	0.1
	p. call w. F. Cass re: IR clarification	MR	0.1
	emails/preliminary review of IRR	MR	0.7
	preliminary review of HONI IRR	MR	0.3
20180213	•	MR	0.1
	prelim review of LSL application/emails	MR	0.5
	review corr	MR	0.1
	email/review PO	MR	0.2
	p. call w. J. Girvan/sign and file D&U/emails	MR	0.3
	email/prelim review	MR	0.3
20180315		MR	0.1
20180313		MR	0.1
	p. call w Zora C.	MR	0.2
	review PO and conf decision/disc w JCS/emails	MR	0.3
	review confidential material	MR	1.8
	many emails	MR	0.3
	emails/disc w JCS/p. call w. L. Murray (Staff)	MR	0.8
20160302	emails/disc w JC3/p. Call w. E. Murray (Starr)	IVIN	0.8
20100502	emails/review IRR and evidence and consider Hydro One issues/review Board letter	MR	1.0
20180503		MR	0.3
	review IRR/prepare for tech conference	MR	6.0
	prepare for tech conference	MR	
	attend technical conference/disc w parties	MR	0.6
20180507		MR	7.8
			0.1
20180614		MR	0.1
20180615		MR	0.1
20180620		MR	0.1
20180626		MR	0.1
20180627		MR	0.1
	emails/review corr	MR	0.2
	review material in preparation for hearing	MR	2.2
	emails/review materials/prepare cross-examination and prepare for hearing/p. call w. Mr		
	Esquega (BZA)/p. call w. L. Murray to discuss i	MR	10.5
	attend hearing/disc w parties	MR	8.5
20180712		MR	0.1
20180713	review corr	MR	0.1

20180813 emails/review UT responses and draft irs on OH UT/review PO  MR  2.2 20180814 finalize and file IRs/review other parties IRs/emails  MR  0.4 20180813 gmail/review HO letter  MR  0.1 20180823 gmail/review HO letter  MR  0.2 20180824 preview USL application/draft IRS  MR  0.2 20180829 review USL application/draft IRS  MR  0.2 20180829 review USL application/review record from motion hearing/research/draft IRS  MR  0.2 20180829 review USL application/review record from motion hearing/research/draft IRS  MR  0.2 20180831 review PO  MR  0.3 20180905 review USC proport and draft IRS  MR  0.1 20180907 review USC proport and draft IRS  MR  0.1 20180901 preview ISD or sport and draft IRS  MR  0.1 20180901 preview OF MR  0.1 201809012 review OF MR  0.1 201809012 review OF MR  0.1 201809013 review OF MR  0.1 201809013 review OF MR  0.1 201809013 review OF MR  0.2 201809014 review OF MR  0.3 201809014 review OF MR  0.3 201809015 review OF MR  0.4 201809015 review OF MR  0.5 201809016 review OF MR  0.6 201809017 review OF MR  0.7 201809017 review OF MR  0.8 201809017 review OF MR  0.9 201809018 review OF MR  0.9 201809018 review OF MR  0.9 201809019 review OF MR  0.9 201810019 review OF MR  0.9 201810019 review OF MR  0.9 201810019 review OF MR	20180725	amaile.	MR	0.4
20180814 finalize and file IRs/review other parties IRs/emails  MR  O.20180824 foraft letter re: PO1/emails  MR  O.20180824 review of IRR on OH UT  MR  O.20180828 review of IRR on OH UT  MR  O.20180828 review USL application/draft IRS  MR  O.20180828 proview ISL application/draft IRS  MR  O.20180828 proview ISL application/review record from motion hearing/research/draft IRS  MR  O.201808081 review ISL application/review record from motion hearing/research/draft IRS  MR  O.20180905 review ISL application/review record from motion hearing/research/draft IRS  MR  O.20180905 review ISL application/review record from motion hearing/research/draft IRS  MR  O.20180905 review ISL application/review record from motion hearing/research/draft IRS  MR  O.20180907 review PO  MR  O.20180901 prelim review of NB Development CostArg-in-Chief  MR  O.20180901 prelim review of NB Development CostArg-in-Chief  MR  O.20180901 draft NB Dev Cost argument  MR  O.20180901 grein review of MR  O.20180901 grein review o				0.4
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20181019 draft argument MR 5.5	20181017	draft argument	MR	3.1
20181019 draft argument MR 5.5	20181018	draft argument	MR	3.5
			MR	5.5
			MR	4.5

20181021	draft argument	MR	2.0
20181023	draft argument	MR	5.0
20181024	draft argument/emails	MR	3.2
20181025	draft submissions	MR	1.8
20181028	emails	MR	0.1
20181028	Detailed review and edit of submissions, Various emails	JCS	1.5
20181029	review Hydro One sub/emails and consider	MR	0.2
20181030	draft and edit argument	MR	4.0
20181031	finalize submissions/prepare redactions/p. call w L. Murray/file/review parties submissions	MR	3.4
20181101	review MECP Letter/Review VECC sub/Review bd letter	MR	0.4
20181102	emails	MR	0.1
20181106	review HONI corr	MR	0.1
20181109	review reply submissions	MR	1.1
20181112	email	MR	0.1
20181113	review letters and futher argument submissions	MR	0.3
20181115	emails w HONI re: confidentiality	MR	0.1
20181123	review MFN corr	MR	0.1
20181130	review Bd corr	MR	0.1
20181218	Review BD letter	MR	0.1
20181220	Review decision/emails	MR	1.2
20181220	Review decision, Analysis of issues, Meet with Mark	JCS	1.5
20190115	review HONI corr	MR	0.1
20190124	review Bd corr	MR	0.1
20190130	emails	MR	0.2
20190131	review OIC/emails	MR	0.3
20190211	review decision	MR	0.2
			207.5