



**BY EMAIL and RESS**

**Jay Shepherd**  
jay@shepherdrubenstein.com  
Direct: 416-804-2767

July 23, 2019  
Our File No. 20180219

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2018-0219 – PUC Distribution 2019 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.

This case involved a major overhaul of the Applicant's distribution system through an ICM. It involved extensive interrogatories and a two-day technical conference, at which point the application for ICM was deferred by the Applicant. Counsel Jay Shepherd took the lead for SEC, and time spent by co-counsel Mark Rubenstein assisting in the matter has not been claimed. Time spent on review of, and submissions with respect to, a confidentiality claim has been included in the category of Review of Interrogatories.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**

A handwritten signature in black ink, appearing to read "Jay Shepherd", is written over a light blue horizontal 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.**

<b>File # EB-</b>	<b>2018-0219</b>	<b>Process:</b>	<b>PUC Distribution 2019 Rates</b>
<b>Party:</b>	<b>School Energy Coalition</b>	<b>Affiant's Name:</b>	<b>Jay Shepherd</b>
<b>HST Number:</b>	<b>83673-5464-RT0001</b>	<b>HST Rate Ontario:</b>	<b>13.00%</b>
	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 **July 23, 2019**.  
(date)

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



**Affidavit and Summary of Fees and Disbursements**

**Commissioner for taking Affidavits**

**File # EB- 2018-0219**

**Process: PUC Distribution 2019 Rates**

**Party: School Energy Coalition**

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	20,493.00
Disbursements	\$	-
HST	\$	2,664.09
<b>Total Cost Claim</b>	<b>\$</b>	<b>23,157.09</b>

**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

<b>File # EB-</b> <u>2018-0219</u>	<b>Process:</b> <u>PUC Distribution 2019 Rates</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Jay Shepherd</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>
Legal Counsel <input checked="" type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst <input type="checkbox"/>	<u>1980</u>
	<b>Completed Years Practising/Years of Relevant Experience</b>
	<u>39</u>
	<b>Hourly Rate:</b> <u>\$330</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached	<b>HST Rate Charged (enter %):</b> <u>13.0%</u>
<input type="checkbox"/> CV provided within previous 24 months	

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	8.8	\$ 330.00	\$ 2,904.00	\$ 377.52	\$ 3,281.52
Attendance	14.5	\$ 330.00	\$ 4,785.00	\$ 622.05	\$ 5,407.05
<b>Interrogatories</b>					
Preparation	20.3	\$ 330.00	\$ 6,699.00	\$ 870.87	\$ 7,569.87
Responses	18.5	\$ 330.00	\$ 6,105.00	\$ 793.65	\$ 6,898.65
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 20,493.00	\$ 2,664.09	\$ 23,157.09

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



**Detail of Fees and Disbursements Being Claimed**

File # EB- 2018-0219

Process: PUC Distribution 2019 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:			\$ -
<b>TOTAL DISBURSEMENTS:</b>	\$ -	\$ -	\$ -

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**  
**Detail of Fees and Disbursements Being Claimed**



Date	Explanation	Lwyr	Hours
20190311	Discussion with Mark	JCS	0.4
20190313	Review NOI	JCS	0.2
20190423	Meet with Mark, Review application	JCS	0.6
20190426	Review application	JCS	3.0
20190427	Review application, External research, Review DSP	JCS	5.5
20190428	Review application, External research, Review DSP	JCS	1.4
20190430	Review evidence	JCS	2.5
20190503	Draft, revise and file interrogatories, Review interrogatories of others, Many emails, Review PO #2 and scheduling	JCS	6.2
20190507	Review VECC and CCC interrogatories	JCS	0.4
20190515	Review Board letter and scheduling	JCS	0.3
20190520	Email re C-97 impacts and ICM interrogatories	JCS	0.3
20190523	Review Rennick Reply	JCS	0.4
20190531	Initial review of interrogatory responses	JCS	1.0
20190604	Review PO #4 and Scheduling	JCS	0.3
20190606	Prepare and file Declaration and Undertaking, Many emails, Review IRR	JCS	1.5
20190607	Review confidential materials	JCS	0.5
20190609	Review interrogatories and confidential materials	JCS	1.2
20190610	Review interrogatories and confidential materials	JCS	2.0
20190611	Review interrogatories, Review confidential materials, Submissions re confidentiality, Many emails	JCS	6.5
20190612	Analysis and TC list, Review staff submissions, Many emails	JCS	1.6
20190613	Many emails	JCS	0.3
20190614	Telephone call with Julie and Shelley, Prep, Many emails, Review additional responses	JCS	2.0
20190617	Prep for Technical Conference, Review confidentiality submissions, Many emails	JCS	1.3
20190618	Review formerly confidential materials and redactions, Many emails, Prep for Technical Conference, Review witness list	JCS	6.0
20190619	Attend at Technical Conference, Prep, Many emails, Prep for day 2, Analysis of options	JCS	9.1
20190620	Attend at Technical Conference, Prep, Many emails, Meet with CEO, Review transcripts	JCS	7.0
20190628	Review letter, Scheduling	JCS	0.3
20190705	Review rate order	JCS	0.3
			62.1

20493  
2664.09  
23157.09