



BY EMAIL and RESS

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August 30, 2019
Our File No. 20190015

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

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2019-0015 – North Bay/Espanola MAADs – 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 an unusual two-stage proposal for what was otherwise a relatively straightforward acquisition of a smaller LDC by a larger one. Although the two stages were necessary in the particular circumstances, it resulted in a complicated interaction of Board policies and regulatory principles. The case included interrogatories, a motion by one of the intervenors, and written argument. As SEC did not participate directly in the motion, time spent was limited to review of the materials in preparation for final argument, and has been included in that category. Counsel Jay Shepherd took the lead for SEC, and time spent by co-counsel Mark Rubenstein assisting in the matter has not been claimed.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.

A handwritten signature in blue 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.

File # EB-	2019-0015	Process:	North Bay Espanola MAADs
Party:	School Energy Coalition	Affiant's Name:	Mark Rubenstein
HST Number:	83673-5464-RT0001	HST Rate Ontario:	13.00%
	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, **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 **September 3, 2019**.
(date)

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



Commissioner for taking Affidavits

File # EB- 2019-0015 Process: North Bay Espanola MAADs

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	7,458.00
Disbursements	\$	-
HST	\$	969.54
Total Cost Claim	\$	8,427.54

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
Affidavit and Summary of Fees and Disbursements



Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2019-0015</u>	Process: <u>North Bay Espanola MAADs</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
SERVICE PROVIDER TYPE (check one)	
Legal Counsel <input checked="" type="checkbox"/>	Year Called to Bar <div style="border: 1px solid black; padding: 2px; display: inline-block;">1980</div>
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience <div style="border: 1px solid black; padding: 2px; display: inline-block;">39</div>
Consultant <input type="checkbox"/>	Hourly Rate: <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$330</div>
Analyst <input type="checkbox"/>	
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px; display: inline-block;">13.0%</div>
<input type="checkbox"/> CV provided within previous 24 months	

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	12.1	\$ 330.00	\$ 3,993.00	\$ 519.09	\$ 4,512.09
Responses	1.8	\$ 330.00	\$ 594.00	\$ 77.22	\$ 671.22
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	8.7	\$ 330.00	\$ 2,871.00	\$ 373.23	\$ 3,244.23
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 7,458.00	\$ 969.54	\$ 8,427.54

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2019-0015

Process: North Bay Espanola MAADs

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:		\$ -	\$ -	\$ -

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



Date	Explanation	Lwyr	Hours
20190329	Review application, Notice of Intervention and late letter, Meet with Mark, Many emails	JCS	0.8
20190401	Review PO #1 and scheduling	JCS	0.3
20190405	Review Rennick material, Email of comments, Meet with Mark	JCS	0.5
20190413	Review evidence	JCS	2
20190415	Review evidence, Draft, Revise and file interrogatories, Review Staff IRs	JCS	8.5
20190429	Initial review of IR responses	JCS	0.8
20190430	Review IR responses	JCS	1
20190501	Many emails, Review Notice of Motion	JCS	0.5
20190502	Review PO #2 and scheduling	JCS	0.3
20190503	Review PO #3 and scheduling	JCS	0.2
20190510	Review Rennick submissions	JCS	0.4
20190517	Review responding submissions	JCS	0.3
20190606	Review decision on Motion, PO #4, and Scheduling	JCS	0.6
20190617	Review AIC	JCS	1
20190628	Review evidence and IR responses, Outline, draft, revise and file Final Argument, Review Final Argument of OEB Staff	JCS	4.5
20190712	Review reply argument	JCS	0.6
20190822	Review decision and reporting	JCS	0.3
			22.6

7458
969.54
8427.54