



**BY EMAIL and RESS**

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

September 26, 2019  
Our File: EB20180331

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2018-0331– Enbridge Gas Inc. Cap and Trade DVA – SEC Cost Claim**

We are counsel to the School Energy Coalition (“SEC”). Enclosed, please find SEC’s cost claim on the Board’s form with detailed dockets.

We have included time in the ‘Other Conference – Preparation’ category for time docketed for items that do not fall within the other categories (i.e. reviewing notice, filing Notice of Intervention, reviewing the decision), as well as time related to consider and drafting letters and submissions related to the legal effect of the repeal of the *Climate Change Act*, on the treatment of the strictly confidential auction and market sensitive information.

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

*Original signed by*

Mark Rubenstein

cc: Wayne McNally (by email)  
Applicant (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-2018-0331</u>	<b>Process:</b> <u>EGI Cap and Trade DVA</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="" 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 26 2019.  
(date)

**Commissioner for taking Affidavits**

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



**Affidavit and Summary of Fees and Disbursements**

File # EB-2018-0331 Process: EGI Cap and Trade DVA

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	5,287.00
Disbursements	\$	-
HST	\$	687.31
<b>Total Cost Claim</b>	<b>\$</b>	<b>5,974.31</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-2018-0331</u>	<b>Process:</b> <u>EGI Cap and Trade DVA</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Mark Rubenstein</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>2011</u>
<b>For Consultant/Analyst:</b>	<b>Completed Years Practising/Years of Relevant Experience</b>
<input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	<u>8</u>
	<b>Hourly Rate:</b> <u>\$230</u>
	<b>HST Rate Charged (enter %):</b> <u>13.0%</u>

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		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
<b>Interrogatories</b>						
Preparation	4.40	\$ 230.00	\$ 1,012.00	\$ 131.56	\$ 1,143.56	
Responses	0.70	\$ 230.00	\$ 161.00	\$ 20.93	\$ 181.93	
<b>Issues Conference</b>						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
<b>ADR - Settlement Conference</b>						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -	
<b>Argument</b>						
Preparation	3.40	\$ 230.00	\$ 782.00	\$ 101.66	\$ 883.66	
<b>Oral Hearing</b>						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
<b>Other Conferences</b>						
Preparation	10.90	\$ 230.00	\$ 2,507.00	\$ 325.91	\$ 2,832.91	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
<b>Case Management</b>						
			\$ -	\$ -	\$ -	
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 4,462.00</b>	<b>\$ 580.06</b>	<b>\$ 5,042.06</b>	

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- EB-2018-0331

Process: EGI Cap and Trade DVA

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>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

# Ontario Energy Board COST CLAIM FOR HEARINGS



## Detail of Fees and Disbursements Being Claimed

<b>File # EB-</b> <u>EB-2018-0331</u>	<b>Process:</b> <u>EGI Cap and Trade DVA</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"/>	1980
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
For Consultant/Analyst: <input type="checkbox"/> CV attached	<b>Completed Years Practising/Years of Relevant Experience</b>
<input type="checkbox"/> CV provided within previous 24 months	20
	<b>Hourly Rate:</b> \$330
	<b>HST Rate Charged (enter %):</b> 13.0%

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		\$ 330.00	\$ -	\$ -	\$ -	
Responses		\$ 330.00	\$ -	\$ -	\$ -	
<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	1.50	\$ 330.00	\$ 495.00	\$ 64.35	\$ 559.35	
<b>Oral Hearing</b>						
Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
<b>Other Conferences</b>						
Preparation	1.00	\$ 330.00	\$ 330.00	\$ 42.90	\$ 372.90	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
<b>Case Management</b>						
			\$ -	\$ -	\$ -	
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 825.00	\$ 107.25	\$ 932.25	

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- EB-2018-0331

Process: EGI Cap and Trade DVA

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
20181210	review PO	MR	0.2
20181211	review notice and PO/emails re: conf issue	MR	0.3
20181212	draft letter/emails	MR	1.5
20181213	revise and file letter/emails/review IGUA corr	MR	0.3
20181213	Review and edit letter, Meet with Mark	JCS	1
20181219	review Union corr	MR	0.1
20181227	review EGD corr/emails	MR	0.3
20190111	review IGUA letter/draft and file corr/emails	MR	1.2
20190118	review PO/review EGD ltr	MR	0.1
20190212	review PO	MR	0.2
20190302	emails	MR	0.1
20190303	research/draft submissions	MR	3.5
20190304	emails/edit and revise submission	MR	1
20190305	finalize and file sub/emails/review other parties sub	MR	1.3
20190306	review IGUA sub	MR	0.2
20190425	review decision/emails	MR	0.3
20190428	review application	MR	2
20190501	review application/research/draft IRs	MR	2
20190509	review BOMA IRs	MR	0.1
20190510	emails/review parties IRs	MR	0.3
20190531	prelim review of IRR	MR	0.3
20190610	emails	MR	0.2
20190611	emails/review revised IR response	MR	0.1
20190617	emails	MR	0.1
20190618	draft submissions/emails/p. call w. J. Vellone	MR	2.2
20190620	Review and edit final submissions	JCS	1.5
20190620	emails/edit and finalize sub	MR	0.3
20190621	file sub/review other parties sub	MR	0.5
20190719	review reply arg/emails	MR	0.4
20190823	Review decision/emails	MR	0.3
			21.9