



BY EMAIL and RESS

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Direct: 416-804-2767

November 21, 2019
Our File No. 20190049

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

Attn: Christine Long, Registrar and Board Secretary

Dear Ms. Long:

Re: EB-2019-0049 – Kitchener 2020 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 interrogatories (including a confidentiality issue), and a successful ADR. 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,
**SHEPHERD RUBENSTEIN
PROFESSIONAL CORPORATION**

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.

File # EB-	2019-0049	Process:	Kitchener 2020 Rates
Party:	School Energy Coalition	Affiant's Name:	Jay Shepherd
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, **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 **November 21, 2019**.
(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2019-0049 Process: Kitchener 2020 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	20,361.00
Disbursements	\$	-
HST	\$	2,646.93
Total Cost Claim	\$	23,007.93

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

File # EB- <u>2019-0049</u>	Process: <u>Kitchener 2020 Rates</u>	
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>	
SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1980"/>	<input type="text" value="39"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: <input type="text" value="\$330"/>
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <input type="text" value="13.0%"/>	
<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	27.3	\$ 330.00	\$ 9,009.00	\$ 1,171.17	\$ 10,180.17
Responses	7.7	\$ 330.00	\$ 2,541.00	\$ 330.33	\$ 2,871.33
Issues Conference					
Preparation	1.0	\$ 330.00	\$ 330.00	\$ 42.90	\$ 372.90
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	9.0	\$ 330.00	\$ 2,970.00	\$ 386.10	\$ 3,356.10
Attendance	11.0	\$ 330.00	\$ 3,630.00	\$ 471.90	\$ 4,101.90
Proposal Preparation	5.7	\$ 330.00	\$ 1,881.00	\$ 244.53	\$ 2,125.53
Argument					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 20,361.00	\$ 2,646.93	\$ 23,007.93

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



File # EB- 2019-0049

Process: Kitchener 2020 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:			\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20190527	Many emails	JCS	0.1
20190528	Review NOI, Review evidence	JCS	0.2
20190530	Review evidence	JCS	2.0
20190531	Review evidence	JCS	3.0
20190601	Review evidence	JCS	2.0
20190602	Review evidence	JCS	0.7
20190603	Revise and file NOI, Review evidence	JCS	3.7
20190604	Review evidence, Research, Many emails	JCS	3.0
20190606	Many emails, Review evidence	JCS	2.0
20190607	Many emails	JCS	0.3
20190620	Review PO #1 and Scheduling, Many emails	JCS	0.3
20190623	Various emails	JCS	0.1
20190624	Review confidential materials and file submission, Review submissions of others, Many emails	JCS	1.2
20190705	Review staff interrogatories	JCS	1.2
20190707	Review evidence	JCS	3.0
20190710	Draft and file interrogatories, Review decision	JCS	5.5
20190801	Many emails, Initial review of interrogatory responses, Review draft issues list	JCS	1.4
20190805	Many emails	JCS	0.2
20190807	Many emails re issues list, Review newly filed materials	JCS	1.3
20190810	Prep for ADR	JCS	1.0
20190811	Review VECC supplementary questions	JCS	0.3
20190813	Review interrogatory responses, Review staff supplementary questions, Various emails	JCS	4.0
20190814	Prep for ADR, Draft and send questions, Attend at ADR (telephone), Many emails	JCS	11.5
20190815	Prep for ADR, Attend at ADR (telephone), Many emails	JCS	8.0
20190825	Various emails	JCS	0.1
20190826	Review settlement agreement and edit, Bill impacts, Various emails	JCS	2.1
20190827	Many emails	JCS	0.2
20190909	Many emails	JCS	0.3
20190910	Many emails, Review drafting proposals, Review current draft	JCS	0.3
20190911	Many emails, Review draft settlement agreement, Review Staff submissions, Review PO #4	JCS	2.0
20190919	Review reply submissions	JCS	0.3
20190923	Review Staff submission	JCS	0.2
20191018	Review decision	JCS	0.2
			61.7

20361
2646.93
23007.93