



BY EMAIL and RESS

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

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

December 10, 2019
Our File: EB20190002

Attn: Christine Long, Registrar & Board Secretary

Dear Ms. Long:

Re: EB-2019-0002 – IESO 2019 Fees – 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.

SEC notes that this was an unusually lengthy proceeding, which included a motion, settlement negotiations that progressed passed the Settlement Conference, and the filing of additional evidence by the IESO, due to a material change in the Market Renewal Program.

For the purposes of the Board’s form 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, all matters related to the motions, reviewing the Board’s decision etc.).

Yours very truly,
Shepherd Rubenstein P.C.

Original signed

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.

File #	EB-2019-0002	Process:	IESO 2019
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 December 10 2019.

(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- EB-2019-0002 Process: IESO 2019

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	22,593.00
Disbursements	\$	-
HST	\$	2,937.09
Total Cost Claim	\$	25,530.09

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

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2019-0002</u>	Process: <u>IESO 2019</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="2011"/>
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience
Consultant <input type="checkbox"/>	<input type="text" value="8"/>
Analyst <input type="checkbox"/>	Hourly Rate: <input type="text" value="\$230"/>
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		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	18.00	\$ 230.00	\$ 4,140.00	\$ 538.20	\$ 4,678.20
Responses	11.50	\$ 230.00	\$ 2,645.00	\$ 343.85	\$ 2,988.85
Issues Conference					
Preparation	0.40	\$ 230.00	\$ 92.00	\$ 11.96	\$ 103.96
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	9.00	\$ 230.00	\$ 2,070.00	\$ 269.10	\$ 2,339.10
Attendance	22.40	\$ 230.00	\$ 5,152.00	\$ 669.76	\$ 5,821.76
Proposal Preparation	1.00	\$ 230.00	\$ 230.00	\$ 29.90	\$ 259.90
Argument					
Preparation	8.60	\$ 230.00	\$ 1,978.00	\$ 257.14	\$ 2,235.14
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	7.10	\$ 230.00	\$ 1,633.00	\$ 212.29	\$ 1,845.29
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 17,940.00	\$ 2,332.20	\$ 20,272.20

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2019-0002

Process: IESO 2019

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:	-	-	\$ -	\$ -
TOTAL DISBURSEMENTS:		\$ -	\$ -	\$ -

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2019-0002</u>	Process: <u>IESO 2019</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	1980
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience
Consultant <input type="checkbox"/>	20
Analyst <input type="checkbox"/>	Hourly Rate: \$330
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): 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		\$ 330.00	\$ -	\$ -	\$ -	
Responses	1.10	\$ 330.00	\$ 363.00	\$ 47.19	\$ 410.19	
Issues Conference						
Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
ADR - Settlement Conference						
Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Argument						
Preparation	1.00	\$ 330.00	\$ 330.00	\$ 42.90	\$ 372.90	
Oral Hearing						
Preparation		\$ 330.00	\$ -	\$ -	\$ -	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
Other Conferences						
Preparation	12.00	\$ 330.00	\$ 3,960.00	\$ 514.80	\$ 4,474.80	
Attendance		\$ 330.00	\$ -	\$ -	\$ -	
Case Management			\$ -	\$ -	\$ -	
TOTAL SERVICE PROVIDER FEES			\$ 4,653.00	\$ 604.89	\$ 5,257.89	

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2019-0002

Process: IESO 2019

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
20190129	prel review of application	MR	0.5
20190222	emails/review LOD/prepare NOI	MR	0.2
20190304	email	MR	0.1
20190312	review PO	MR	0.2
20190326	review reply sub	MR	0.2
20190328	review issues list decision	MR	0.2
20190328	emails/review updated evidence	MR	0.3
20190403	review evidence and draft IRs	MR	4
20190404	research and review evidence and draft IRs/review previous records/review MRP information on IESO website	MR	3.7
20190405	research and review evidence and draft IRs	MR	2.5
20190408	finalize IRs	MR	1.5
20190409	review other parties IRs/emails	MR	0.4
20190411	emails	MR	0.1
20190418	review Bd corr	MR	0.1
20190430	Telephone conversation with OEB Staff, Many emails, Review interrogatory responses	JCS	0.8
20190501	prelim review of IRR/emails/disc w. JCS	MR	2.5
20190502	Many emails, Telephone conversation with OEB Staff	JCS	0.3
20190502	emails	MR	0.1
20190503	Many emails, Meet with Mark, Initial review of IRR, Notice to Board, Telephone conversation with OEB staff	JCS	1.6
20190503	emails/disc w. JCS/draft Notice of Motion	MR	3.5
20190506	Review and edit motion, Many emails	JCS	1
20190506	finalize and file Motion/p. call w. ML (Staff)	MR	0.8
20190507	Review AMPCO letter	JCS	0.1
20190507	review corr	MR	0.1
20190508	Review PO #2 and scheduling	JCS	0.3
20190508	review PO/emails	MR	0.1
20190510	Review motion submissions and parallel motion form APPrO, Various emails	JCS	0.6
20190510	review APPrO corr/emails	MR	0.3
20190513	review PO	MR	0.1
20190514	Review PO #3 and scheduling	JCS	0.3
20190517	Review reply submission	JCS	0.3
20190519	Outline of reply	JCS	0.5
20190520	Draft reply	JCS	0.3
20190521	Draft, revise and file reply, Review APPrO submissions	JCS	6.4
20190521	review IESO sub and SEC and APPrO reply sub	MR	0.5
20190531	Review PO #4 and scheduling, Various emails	JCS	0.6
20190531	review Motion decision/emails	MR	0.3
20190610	p. call w. ML (Board Staff)	MR	0.1
20190618	review updated IRR in response to Motion decision	MR	0.9
20190624	emails/review APPrO letter	MR	0.2
20190627	review PO	MR	0.1
20190715	review IRR/prepare for settlement conference/review MRP information on IESO website/p. call w. HA/p. call w. S. Grice/emails	MR	4.6
20190716	emails/p. call w. W.K. Farmer (EDA)/review IRR/prepare for settlement conference	MR	4.4

20190717	attend settlement conference	MR	7.5
20190717	intervenors/emails	MR	1.5
20190718	attend settlement conference	MR	8.5
20190719	emails	MR	0.3
20190721	emails	MR	0.2
20190722	many emails/conf call w. intervenors/draft revise offer and circulate to intervenors/p. call w. S. Grice	MR	2
20190723	emails/review draft offer/conf call w. all parties/review IESO corr	MR	1.3
20190725	emails	MR	0.1
20190726	emails	MR	0.3
20190728	emails	MR	0.2
20190729	emails/conf call w intervenors	MR	0.5
20190731	emails	MR	0.2
20190801	review settlement proposal/emails/review letter	MR	0.5
20190802	emails/review revised version of settlement proposal/review corr	MR	0.3
20190807	review Staff sub	MR	0.1
20190809	review PO	MR	0.2
20190826	emails	MR	0.1
20190904	review updated evidence/review Energy Stream business plan/draft sup IRs	MR	3
20190910	review energy bc/draft IRs/edit and finalize	MR	1.5
20190911	emails/review parties IRs	MR	0.5
20190926	review additional evidence IRR	MR	2
20191001	review PO	MR	0.1
20191003	review additional IRR	MR	1.5
20191009	review IRR/consider issues/draft sub	MR	4
20191010	draft sub	MR	4.2
20191011	review A+C	MR	0.8
20191012	edit and revise sub	MR	0.6
20191015	edit and revise sub	MR	0.7
20191023	Detailed edit of submissions	JCS	1
20191023	edit sub	MR	0.3
20191024	finalzie sub	MR	0.2
20191025	review parties sub	MR	0.7
20191028	review parties sub	MR	0.3
20191106	review reply arg/emails	MR	0.7
20191107	emails	MR	0.1
20191205	review decision/emails	MR	0.4
			92.1