



**BY EMAIL and RESS**

**Mark Rubenstein**  
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Dir. 647-483-0113

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

December 20, 2019  
Our File: EB20180264

**Attn: Christine Long, Registrar & Board Secretary**

Dear Ms. Long:

**Re: EB-2018-0264 – EPCOR South Bruce Rates – 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. Time spent by co-counsel Jay Shepherd has not been claimed.

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, submissions on the issues list, and reviewing the Board’s decision etc.).

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 #</b>	EB-2018-0264	<b>Process:</b>	EPCOR SB Rates
<b>Party:</b>	School Energy Coalition	<b>Affiant's Name:</b>	Mark Rubenstein
<b>HST Number:</b>	83673-5464-RT0001	<b>HST Rate Ontario:</b>	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 20 2019.

(date)

**Commissioner for taking Affidavits**

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



**Affidavit and Summary of Fees and Disbursements**

File # EB- EB-2018-0264 Process: EPCOR SB Rates

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	11,638.00
Disbursements	\$	-
HST	\$	1,512.94
<b>Total Cost Claim</b>	<b>\$</b>	<b>13,150.94</b>

**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

<b>File # EB-</b> <u>EB-2018-0264</u>	<b>Process:</b> <u>EPCOR SB Rates</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>Completed Years Practising/Years of Relevant Experience</b>
	<u>8</u>
	<b>Hourly Rate:</b> <u>\$230</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		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	7.40	\$ 230.00	\$ 1,702.00	\$ 221.26	\$ 1,923.26
Responses	5.50	\$ 230.00	\$ 1,265.00	\$ 164.45	\$ 1,429.45
<b>Issues Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	2.70	\$ 230.00	\$ 621.00	\$ 80.73	\$ 701.73
Attendance	19.90	\$ 230.00	\$ 4,577.00	\$ 595.01	\$ 5,172.01
Proposal Preparation	1.90	\$ 230.00	\$ 437.00	\$ 56.81	\$ 493.81
<b>Argument</b>					
Preparation	7.60	\$ 230.00	\$ 1,748.00	\$ 227.24	\$ 1,975.24
<b>Oral Hearing</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation	5.60	\$ 230.00	\$ 1,288.00	\$ 167.44	\$ 1,455.44
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Case Management</b>					
			\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 11,638.00</b>	<b>\$ 1,512.94</b>	<b>\$ 13,150.94</b>

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- EB-2018-0264

Process: EPCOR SB Rates

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>		\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20190507	prelim review of application	MR	1
20190521	review PO/emails	MR	0.2
20190605	review application and draft IRs	MR	4.4
20190610	review app/draft IRs/finalize and file/review other parties IRs	MR	1.8
20190705	emails/prel review of IRR	MR	0.3
20190709	emails	MR	0.1
20190710	many emails re issues list/review draft and edited proposed issues list	MR	1
20190711	emails	MR	0.2
20190712	many emails/review PO	MR	0.7
20190716	review PO	MR	0.1
20190718	emails	MR	0.1
20190719	review prel issues list and draft sub	MR	0.5
20190722	emails	MR	0.1
20190723	emails/review other parties submissions	MR	0.6
20190730	emails/review IGUA draft/draft reply submission letter, edit and file/review other parties reply sub	MR	0.9
20190816	review IRR/prepare for settlement conference	MR	5.2
20190820	review issues list decision/prepare for settlement conf	MR	2.5
20190821	attend settlement conference/prepare for day 2	MR	9.2
20190822	emails	MR	0.2
20190822	attend settlement conference/disc w parties	MR	3
20190823	emails	MR	0.1
20190823	emails	MR	0.2
20190825	review EPCOR settlement information/emails	MR	0.5
20190826	emails	MR	0.1
20190827	consider issues/emails/conf call w parties/prepare calculations table to send to IM/review IM email/review IM table	MR	2.1
20190828	emails	MR	0.2
20190829	prelim review EPCOR settlement document/conf call w intervenors/emails	MR	1.2
20190830	emails/review EPCOR corr	MR	0.1
20190903	review EPCOR material/undertake own analysis/conf call w. intervenors	MR	2.9
20190904	emails	MR	0.3
20190911	review and provide edits and comments on revised draft settlement proposals/emails	MR	0.4
20190912	review revised proposal/emails	MR	1.3
20190916	emails/review revised settlement proposal	MR	0.2
20190917	review IGUA ltr	MR	0.1
20190919	emails/review Staff sub	MR	0.4
20190920	review PO	MR	0.1
20190925	review EPCOR corr	MR	0.1
20190926	review corr from IGUA	MR	0.1
20191004	draft Sub	MR	5.5
20191008	review PO	MR	0.1
20191012	edit sub	MR	0.6
20191015	emails	MR	0.2
20191018	finalize and file/review other parties sub	MR	0.5
20191025	review correspondence/review PO	MR	0.1
20191029	review reply arg/emails	MR	0.4

20191030	emails/review IGUA ltr	MR	0.1
20191101	review corr	MR	0.1
20191128	review decision	MR	0.3
20191216	emails re:DRO/review Staff sub	MR	0.2
			50.6