



BY EMAIL and RESS

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2300 Yonge Street
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February 13, 2020
Our File: EB20190022

Attn: Christine Long, Registrar & Board Secretary

Dear Ms. Long:

Re: EB-2019-0022/0031 – BPI/Energy+ 2020 ICM – Cost Claim Reply

We are counsel to the School Energy Coalition (“SEC”). SEC is in receipt of correspondence from both Brantford Power Inc. (“BPI”) and Energy+ Inc. (“Energy+”) requesting that SEC file separate cost claims for each utility reflecting the relative time spent on each application.

SEC filed the original cost claim on a combined basis consistent with similar experience in other proceedings which involved multiple applicants. In those proceedings, it was the Board who determined how awarded costs would be between the applicants.¹

While SEC is filing with this letter separate cost claims, it is unable to separate out with any accuracy the relative time spent on each application. After the Board combined the proceeding, SEC did not docket time spent on each application individually. While a few dockets can be allocated to each application based on their description, the vast majority of time cannot, and any after the fact attempt to do so would not be very accurate.

Considering that both applications involved the same facility, SEC proposes that the cost claim be allocated 50-50 between BPI and Energy+. This would be consistent with SEC’s broad view that it spent about an equal amount of time on issues related to BPI and Energy+. The two separate cost claims filed with this letter are allocated on that basis.

Yours very truly,
Shepherd Rubenstein P.C.

Ordinal signed by

Mark Rubenstein

cc: Wayne McNally (by email)
Applicants (by email)

¹ See for example: *Decision and Order on Cost Awards* (EB-2017-0182/194/364), dated May 30 2019; *Decision and Order on Cost Awards* (EB-2016-0296/300), dated March 28 2018

