



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

May 20, 2020
Our File: EB20190037

Attn: Christine Long, Registrar & Board Secretary

Dear Ms. Long:

Re: EB-2019-0037 – Greater Sudbury Hydro Inc. 2020 Rates – Cost Claim

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

SEC notes that this proceeding was more complex than other cost of service applications, as it involved consideration of not just the 2020 test year, but also a request for 4 Advanced Capital Modules. In addition, the COVID-19 emergency was declared just over a week before the Settlement Conference was to be held.

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. filing Notice of Intervention, procedural matters, reviewing OEB Staff submission and the Final Decision, etc.).

As a result of the COVID-19 remote work environment, we have not been able to easily arrange to have the Board’s cost claim for affidavit commissioned. In place of a commissioned affidavit, I have provided below in this signed letter, the same statements that are on the Board’s cost claim affidavit, for the purposes of attesting to the accuracy of the enclosed cost claim.

We hope in the current circumstances that this is acceptable to the Board.

In lieu of a commissioned affidavit, and as a member of the Law Society of Ontario and an Officer of the Ontario Court and, as such, mindful of my duties to the Ontario Energy Board, I, Mark Rubenstein, provide this statement confirming that;

- 1. I am a representative of the School Energy Coalition and as such have knowledge of the matters attested to herein.***
- 2. I have examined all of the documentation in support of the attached 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.

Yours very truly,
Shepherd Rubenstein P.C.

A handwritten signature in black ink, appearing to read "Mark Rubenstein", written over a horizontal line.

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
GSHI (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-2019-0037	Process:	GSHI 2020 Rates
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 _____,
in the Province/State of _____, on _____ (date).

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB-2019-0037 Process: GSHI 2020 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	15,663.00
Disbursements	\$	-
HST	\$	2,036.19
Total Cost Claim	\$	17,699.19

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

File # EB- <u>EB-2019-0037</u>	Process: <u>GSHI 2020 Rates</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
<input checked="" type="checkbox"/> Legal Counsel <input type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst	<u>2011</u>
Completed Years Practising/Years of Relevant Experience	<u>8</u>
Hourly Rate:	<u>\$230</u>
For Consultant/Analyst:	HST Rate Charged (enter %):
<input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	<u>13.0%</u>

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	16.70	\$ 230.00	\$ 3,841.00	\$ 499.33	\$ 4,340.33	
Responses	12.40	\$ 230.00	\$ 2,852.00	\$ 370.76	\$ 3,222.76	
Issues Conference						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
ADR - Settlement Conference						
Preparation	12.40	\$ 230.00	\$ 2,852.00	\$ 370.76	\$ 3,222.76	
Attendance	16.70	\$ 230.00	\$ 3,841.00	\$ 499.33	\$ 4,340.33	
Proposal Preparation	7.50	\$ 230.00	\$ 1,725.00	\$ 224.25	\$ 1,949.25	
Argument						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Oral Hearing						
Preparation		\$ 230.00	\$ -	\$ -	\$ -	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
Other Conferences						
Preparation	2.40	\$ 230.00	\$ 552.00	\$ 71.76	\$ 623.76	
Attendance		\$ 230.00	\$ -	\$ -	\$ -	
Case Management						
			\$ -	\$ -	\$ -	
TOTAL SERVICE PROVIDER FEES			\$ 15,663.00	\$ 2,036.19	\$ 17,699.19	

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2019-0037

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

Date	Explanation	Lwyr	Hours
20191218	emails	MR	0.1
20191219	prel review of App and draft NOI	MR	2
20200122	review PO	MR	0.1
20200207	review evidence and draft IRs	MR	2.5
20200210	review evidence and draft IRs	MR	4.5
20200211	review evidence and draft IRs	MR	5.1
20200212	review and draft IRs/finalize and file	MR	2
20200213	review VECC IRs	MR	0.2
20200227	review corr	MR	0.1
20200228	review OEB corr/p. call from D. Lau	MR	0.2
20200302	emails	MR	0.1
20200304	emails/p. call w. GHSI re: IR clarification	MR	0.5
20200306	review PO	MR	0.1
20200309	emails	MR	0.1
20200310	emails	MR	0.1
20200311	prel review of IRR	MR	2.5
20200312	emails/p. call w. D. Lau	MR	0.2
20200316	emails/review of IRR	MR	4.2
20200317	emails/review of IRR	MR	5
20200318	emails/prepare for Settlement Conference	MR	0.5
20200319	prepare for Settlement Conference	MR	5.2
20200320	web conference with Intervenor & Staff/prepare for Settlement Conference	MR	3.5
20200322	review clarification responses/emails/prepare for Settlement Conference	MR	3.2
20200323	attend Settlement Conference (web conference)	MR	5.2
20200324	attend Settlement Conference (web conference)	MR	8
20200325	emails/attend Settlement Conference (web conference)	MR	2.5
20200412	preliminary review of settlement agreement	MR	0.8
20200413	review previous comments and edits/provide details comments and edits/review models	MR	3.2
20200414	emails	MR	0.2
20200415	emails/prel review of second version of Settlement Proposal	MR	0.3
20200416	emails	MR	0.2
20200417	web conference with all parties	MR	1
20200417	emails/review further GSHI changes to settlement	MR	1.7
20200418	finalize second version intervenor comments/emails	MR	0.5
20200420	review Settlement Proposal and cover letter and provide comments/emails	MR	1
20200421	p. call w. D. Lau	MR	0.1
20200423	review GSHI corr	MR	0.2
20200424	revise Staff sub	MR	0.4
20200428	review Bd letter	MR	0.1
20200429	emails/review PP letter	MR	0.3
20200430	review Interim Order	MR	0.1
20200507	review decision/emails	MR	0.3
			68.1