



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

June 2, 2020
Our File: EB20190183

Attn: Christine Long, Registrar & Board Secretary

Dear Ms. Long:

Re: EB-2019-0183 – Enbridge Gas Inc. Owen Sound LTC and M17 Rate – 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. Time spent by co-counsel, Jay Shepherd, has not been claimed.

SEC notes, that in its letter accepting Enbridge Gas’ withdrawal of its EB-2018-0244 application, the Board stated that it “will consider the cost claims of intervenors who were found eligible for costs in the M17 rates proceeding (EB-2018-0244) in the upcoming Owen Sound line leave to construct and M17 rates application.”¹ On that basis, SEC has included its claim for costs for the EB-2018-0244 proceeding in its cost claim. To help identify that claimed time, we have separated out the two proceedings within the Board’s Cost Claim form.

For the purposes of the Board’s form we have also 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 the final decision, reviewing the DRO, and steps related to EPCOR’s motion in EB-2018-0244 proceeding etc.).

As a result of COVID-19 remote work environment, we have not been able to easily arrange to have the Board’s cost claim 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 EB-2018-0244, Letter from John Pickernell, Re: Enbridge Gas Inc. Application for Rate M17 Firm Transportation Service, (August 1, 2019), p.2



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', with a large, sweeping flourish extending upwards and to the right.

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
Enbridge Gas Inc. (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-	EB-2019-0183	Process:	EGI Owen Sound LTC and M17 Rate
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-2019-0183 Process: EGI Owen Sound LTC and M17 Rate

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	8,303.00
Disbursements	\$	105.99
HST	\$	1,093.17
Total Cost Claim	\$	9,502.16

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-2019-0183</u>	Process: <u>EGL Owen Sound LTC and M17 Rate</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein (19-0183)</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	<u>2011</u>
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
Completed Years Practising/Years of Relevant Experience	<u>8</u>
Hourly Rate:	<u>\$230</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): <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	7.30	\$ 230.00	\$ 1,679.00	\$ 218.27	\$ 1,897.27
Responses	4.50	\$ 230.00	\$ 1,035.00	\$ 134.55	\$ 1,169.55
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation	13.80	\$ 230.00	\$ 3,174.00	\$ 412.62	\$ 3,586.62
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	3.00	\$ 230.00	\$ 690.00	\$ 89.70	\$ 779.70
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 6,578.00	\$ 855.14	\$ 7,433.14

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2019-0183

Process: EGI Owen Sound LTC and M17 Rate

Party: School Energy Coalition

Service Provider Name: Mark Rubenstein (19-0183)

Statement of Disbursements Being Claimed				
		Net Cost	HST	Total
Scanning/Photocopy			\$ -	\$ -
Printing				\$ -
Courier			\$ -	\$ -
Telephone/Fax		\$ 105.99	\$ 13.78	\$ 119.77
Transcripts			\$ -	\$ -
Travel: Air			\$ -	\$ -
Travel: Car			\$ -	\$ -
Travel: Rail			\$ -	\$ -
Travel (Other):			\$ -	\$ -
Parking			\$ -	\$ -
Taxi			\$ -	\$ -
Accommodation			\$ -	\$ -
Meals			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
TOTAL DISBURSEMENTS:		\$ 105.99	\$ 13.78	\$ 119.77

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2019-0183</u>	Process: <u>EGI Owen Sound LTC and M17 Rate</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein (18-0244)</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="7"/>
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	2.10	\$ 230.00	\$ 483.00	\$ 62.79	\$ 545.79
Responses	2.90	\$ 230.00	\$ 667.00	\$ 86.71	\$ 753.71
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	2.50	\$ 230.00	\$ 575.00	\$ 74.75	\$ 649.75
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management					
			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 1,725.00	\$ 224.25	\$ 1,949.25

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2019-0183

Process: EGI Owen Sound LTC and M17 Rate

Party: School Energy Coalition

Service Provider Name: Mark Rubenstein (18-0244)

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:		\$ -	\$ -	\$ -

EB-2019-0183

Date	Explanation	Lwyr	Hours
20191001	emails/review notice/prelim review of app	MR	0.3
20191009	emails	MR	0.1
20191010	email/file NOI	MR	0.2
20191101	review PO	MR	0.1
20191107	review application/consider issues	MR	1.5
20191108	review OEB corr	MR	0.1
20191113	review material from DQ and consider	MR	1
20191114	review other parties IRs	MR	0.2
20191115	review other parties IRs/no need to file SEC IRs	MR	0.3
20191118	emails	MR	0.1
20191127	emails/prel review of IRR	MR	0.3
20191212	review PO	MR	0.1
20200113	emails/prel review of intervenor evidence	MR	1
20200121	review EPCOR evidence	MR	2
20200122	emails	MR	0.1
20200123	emails/review Staff IR on EPCOR evidence	MR	0.3
20200124	review parties IR	MR	0.5
20200207	emails/prelim review of EPCOR IRR	MR	0.5
20200220	emails	MR	0.3
20200221	prel review A+C	MR	0.3
20200226	emails	MR	0.2
20200228	emails and consider issues/eview IRR/	MR	1.5
20200301	consider issues and prepare for interv conference call/review IRR/many emails	MR	1.8
20200302	conference call w. lan and DQ/emails/consider issues/research	MR	2
20200303	consider issues/emails/draft submissions	MR	5.2
20200304	emails	MR	0.3
20200305	revised draft/emails/review other parties sub/many emails	MR	4
20200305	Review argument and propose revisions	JCS	0.8
20200306	finalize and file sub/review othe parties sub/emails	MR	1.8
20200306	Review arguments of others	JCS	1
20200320	review EGI reply arg	MR	0.5
20200409	Review decision for client reporting	JCS	0.5
20200409	review decision/emails	MR	0.7
20200417	review EPCOR letter	MR	0.2
20200501	emails	MR	0.1
20200506	review DRO	MR	0.3
20200511	review comments on DRO	MR	0.3
20200520	review EGI DRO reply	MR	0.2
29020528	review Rate Order decision	MR	0.2
			30.9

EB-2018-0244

Date	Explanation	Lwyr	Hours
20181001	emails	MR	0.1
20181002	emails	MR	0.1
20181005	emails/p. call w DQ/p. call w Charles Keizer	MR	0.4
20181024	emails/review PO	MR	0.1
20181112	review evidence/research/draft IRs	MR	1.5
20181130	email/prelim review of IRR	MR	0.4
20181203	review EPCOR letter	MR	0.1
20181205	review Union corr	MR	0.1
20181206	review PO	MR	0.1
20181220	review PO	MR	0.1
20190109	review Staff sub on EPCOR motion	MR	0.2
20190110	review IGUA interv	MR	0.1
20190115	review EPCOR corr	MR	0.1
20190116	review EGI motion response	MR	0.4
20190123	review reply to motion	MR	0.3
20190204	review IRR	MR	2.5
20190205	review motion decision	MR	0.2
20190213	review withdrawal letter	MR	0.1
20190225	review EPCOR corr	MR	0.2
20190304	review EGI ltr	MR	0.2
20190801	review EGI, EPCOR and Bd letter	MR	0.2
			7.5



CONFERENCE DETAIL

Mark Rubenstein

Moderator	Tel #	Customer #	Contact	Tel #		
Mark Rubenstein	416-483-3300	1614585	Saba Parker	416-483-3300		
Date / Time	Reservation #	Billing Reference	Reserved Lines	Used Lines	Service Type	Reserved Minutes
3/2/20 9:59 AM	1000481128	N/A	200	3	Reservationless	N/A

Conference Connection							
Participant	Start	End	Duration	Description	Service	Long Distance / Toll Free	Amount
4164833300	9:59:24 AM	11:11:24 AM	01:12:00	Toll-Free (North America)	\$30.96	\$14.40	\$45.36
4168627525	10:02:09 AM	11:11:09 AM	01:09:00	Local	\$29.67	\$0.00	\$29.67
5194713787	9:59:27 AM	11:11:27 AM	01:12:00	Local	\$30.96	\$0.00	\$30.96
Sub-Total					\$91.59	\$14.40	\$105.99

Other Charges			
Type	Description	Quantity	Amount
Sub-Total			
		Sub-Total Reservation #	1000481128
		HST - Ontario 869413443	\$13.78
		Grand-Total Reservation	1000481128
			\$119.77

Sub-Total for Mark Rubenstein \$105.99

HST - Ontario 869413443 \$13.78

Total Charges for Mark Rubenstein \$119.77

EB-2019-0183
EOD M17