



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

June 15, 2020
Our File: EB20190194

Attn: Christine Long, Registrar & Board Secretary

Dear Ms. Long:

Re: EB-2019-0194 – Enbridge Gas 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.

Both of SEC's counsel were involved in the proceeding. Mr. Shepherd handled all aspects of Phase 1 and leveraged his involvement in Enbridge's 2019 application to review parts of the ICM component of Phase 2. The undersigned took the lead in Phase 2, including the review of the cost allocation and Unaccounted For Gas evidence, and certain parts of the ICM evidence. The division of labour led to a cost-effective participation.

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 the final decision, draft order process etc.).

Yours very truly,
Shepherd Rubenstein P.C.

A handwritten signature in black ink, appearing to be "MR", with a long horizontal stroke extending 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- <u>EB-2019-0194</u>	Process: <u>Enbridge Gas Inc. 2020</u>
Party: <u>School Energy Coalition</u>	Affiant's Name: <u>Mark Rubenstein</u>
HST Number: <u>83673-5464-RT0001</u>	HST Rate Ontario: <u>13.00%</u>
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.


Mark
Rubenstein
2020-06-15
15:52:04

Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto (Online via ZOOM),
in the Province/State of Ontario, on June 15 2020.
(date)


Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- EB-2019-0194

Process: Enbridge Gas Inc. 2020

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	20,169.00
Disbursements	\$	-
HST	\$	2,621.97
Total Cost Claim	\$	22,790.97

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-2019-0194</u>	Process: <u>Enbridge Gas Inc. 2020</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
SERVICE PROVIDER TYPE (check one)	
Legal Counsel <input checked="" type="checkbox"/>	Year Called to Bar <div style="border: 1px solid black; padding: 2px; display: inline-block;">1980</div>
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience <div style="border: 1px solid black; padding: 2px; display: inline-block;">40</div>
Consultant <input type="checkbox"/>	Hourly Rate: <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$330</div>
Analyst <input type="checkbox"/>	
For Consultant/Analyst: <input type="checkbox"/> CV attached	
<input type="checkbox"/> CV provided within previous 24 months	
HST Rate Charged (enter %): <div style="border: 1px solid black; padding: 2px; display: inline-block;">13.0%</div>	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	2.60	\$ 330.00	\$ 858.00	\$ 111.54	\$ 969.54
Attendance	4.50	\$ 330.00	\$ 1,485.00	\$ 193.05	\$ 1,678.05
Interrogatories					
Preparation	16.30	\$ 330.00	\$ 5,379.00	\$ 699.27	\$ 6,078.27
Responses	1.00	\$ 330.00	\$ 330.00	\$ 42.90	\$ 372.90
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	1.00	\$ 330.00	\$ 330.00	\$ 42.90	\$ 372.90
Attendance	9.80	\$ 330.00	\$ 3,234.00	\$ 420.42	\$ 3,654.42
Proposal Preparation	1.20	\$ 330.00	\$ 396.00	\$ 51.48	\$ 447.48
Argument					
Preparation	4.40	\$ 330.00	\$ 1,452.00	\$ 188.76	\$ 1,640.76
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	1.50	\$ 330.00	\$ 495.00	\$ 64.35	\$ 559.35
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 13,959.00	\$ 1,814.67	\$ 15,773.67

Ontario Energy Board
COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2019-0194

Process: Enbridge Gas Inc. 2020

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:	\$ -	\$ -	\$ -

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>EB-2019-0194</u>	Process: <u>Enbridge Gas Inc. 2020</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
SERVICE PROVIDER TYPE (check one)	
Legal Counsel <input checked="" type="checkbox"/>	Year Called to Bar <u>2011</u>
Articling Student/Paralegal <input type="checkbox"/>	Completed Years Practising/Years of Relevant Experience <u>8</u>
Consultant <input type="checkbox"/>	Hourly Rate: <u>\$230</u>
Analyst <input type="checkbox"/>	HST Rate Charged (enter %): <u>13.0%</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached <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	4.10	\$ 230.00	\$ 943.00	\$ 122.59	\$ 1,065.59
Responses	8.90	\$ 230.00	\$ 2,047.00	\$ 266.11	\$ 2,313.11
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation	11.80	\$ 230.00	\$ 2,714.00	\$ 352.82	\$ 3,066.82
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	2.20	\$ 230.00	\$ 506.00	\$ 65.78	\$ 571.78
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 6,210.00	\$ 807.30	\$ 7,017.30

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- EB-2019-0194

Process: Enbridge Gas Inc. 2020

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
20191008	emails/prel review of app	MR	0.5
20191016	p. call w. J. Vellone	MR	0.2
20191031	emails/file NOI	MR	0.2
20191112	review PO/emails	MR	0.1
20191113	Many emails, Review application and interrogatories	JCS	2
20191113	emails	MR	0.1
20191114	Review application and PO	JCS	2
20191118	Many emails, Review questions from others	JCS	0.3
20191119	Review application and prep for Technical Conference/ADR, Many emails	JCS	2.6
20191120	Attend at Technical Conference,	JCS	4.5
20191120	Prep for ADR	JCS	1
20191121	Attend at ADR, Many emails, Review addtional materials	JCS	5.4
20191122	Attend at ADR, Many emails	JCS	4.4
20191125	Many emails	JCS	0.2
20191127	Edit agreement and circulate, Many emails, Review edits of others	JCS	0.8
20191128	Final signoff, Many emails	JCS	0.2
20191205	Review decision	JCS	0.2
20191220	Many emails	JCS	0.1
20200109	Review PO #2 and scheduling	JCS	0.3
20200109	review PO	MR	0.1
20200110	Review ICM evidence for interrogatories	JCS	2
20200113	review PO 2	MR	0.1
20200115	Review changes to ICM evidence	JCS	1
20200115	prel review of updated evidence/emails	MR	0.3
20200131	Draft interrogatories	JCS	2.5
20200203	review Phase 2 evidence and draft IRs	MR	0.6
20200203	Review evidence	JCS	2
20200204	review Phase 2 evidence and draft IRs	MR	2.2
20200204	Review evidence, Draft interrogatories and file, Refiling, Many emails, Meet with Mark	JCS	4
20200205	emails/review parties IRs	MR	0.3
20200207	Review cost allocation materials	JCS	0.5
20200221	prel review of IRR	MR	1
20200221	Review interrogatory responses, Various emails	JCS	1
20200226	review PO	MR	0.1
20200226	Review PO#3 and scheduling	JCS	0.3
20200303	emails	MR	0.1
20200311	review and consider AinC	MR	1.5
20200311	Review Argument in Chief	JCS	1
20200324	emails	MR	0.3
20200327	review IRR	MR	3.2
20200330	review IRR/consider issues	MR	4.7
20200331	emails/review corr/consider issues/review PO	MR	0.5

20200401	consider issues and draft submissions	MR	4
20200402	consider issues and draft submissions	MR	2
20200406	Comments and edits on Final Argument	JCS	1.6
20200406	finalize, edit and file sub	MR	2.3
20200407	Review submissions of others	JCS	0.4
20200407	review OEB Staff sub	MR	0.4
20200408	Review submissions of others	JCS	0.4
20200408	review parties sub	MR	0.6
20200409	Review CCC submissions	JCS	0.2
20200501	Review reply argument	JCS	0.8
20200501	review reply argument/emails	MR	0.5
20200514	Review decision, Reporting, Various emails	JCS	0.6
20200514	review decision/emails	MR	0.5
20200525	Review DRO	MR	0.3
20200526	review LPMA DRO comments	MR	0.1
20200606	review EGI DRO reply sub	MR	0.1
20200611	review rate order	MR	0.1
			69.3