



**BY EMAIL and RESS**

**Jay Shepherd**  
jay@shepherdrubenstein.com  
Dir. 416-804-2767

October 6, 2020  
Our File: EB20180287

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

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

Dear Ms. Long:

**Re: EB-2018-0287/8 – Utility Remuneration/DERs – SEC Cost Claim**

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

This proceeding was a followup to the Advisory Committee on Innovation, and was directed at understanding how utilities will be affected by distributed energy resources and other fundamental changes to the regulated energy sector. The proceeding included two stakeholder sessions, one for three days and the other for one day, plus multiple submissions and, in the case of SEC, a presentation to the first stakeholder session.

Senior counsel Jay Shepherd took the lead on this matter. Time spent by co-counsel Mark Rubenstein has not been included in the claim. Extensive time was spent by Jay Shepherd prior to filing the Notice of Intervention, but it has not been claimed. Similarly, during the period of the proceeding time spent by Mr. Shepherd exceeded the limits set by the Board for all aspects, and none of that excess has been claimed.

All of which is respectfully submitted.

Yours very truly,  
**Shepherd Rubenstein Professional Corporation**

A handwritten signature in black ink, appearing to read "Jay Shepherd", is written over a faint, larger signature that is mostly illegible. Below the signature is the name "Jay Shepherd" printed in a standard font.

cc: Wayne McNally, SEC (by email)  
Interested Parties (by email)

**Shepherd Rubenstein Professional Corporation | Regulatory Law**  
2200 Yonge Street, Suite 1302 T. (416) 483-3300 F. (416) 483-3305  
Toronto, ON M4S 2C6 shepherdrubenstein.com

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation 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 Notice of Hearing for Cost Awards. Please ensure all required 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 present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" 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 must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- **Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

<b>File # EB-</b>	<b>2018-0287/0288</b>	<b>Process:</b>	<b>Utility Remuneration and Responding to DERs</b>
<b>Party:</b>	<b>School Energy Coalition</b>	<b>Affiant's Name:</b>	<b>Mark Rubenstein</b>
<b>HST Number:</b>	<b>83673-5464-RT0001</b>	<b>HST Rate Ontario:</b>	<b>13.00%</b>
	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 of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement 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 (via ZOOM)**,  
in the Province/State of **Ontario**, on **10/06/2020**  
(date)

**Commissioner for taking Affidavits**

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Affidavit and Summary of Fees and Disbursements**



File # EB- 2018-0287/0288 Process: Utility Remuneration and Responding to DERs

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$19,800.00
Disbursements	\$0.00
HST	\$2,574.00
<b>Total Cost Claim</b>	<b>\$22,374.00</b>

**Payment Information**

Make cheque payable to: Shepherd Rubenstein Professional Corporation, in trust

Send payment to this address: 2200 Yonge Street  
Suite 1302  
Toronto, Ontario  
M4S2C6

**Detail of Fees and Disbursements Being Claimed**

**Statement of Fees Being Claimed**

Statement of Fees being claimed for Eligible Activity is found on the second tab of this workbook.

**Statement(s) of Disbursements Being Claimed**

Statement of Disbursements being claimed is found on the third tab of this workbook.

# Ontario Energy Board

## COST CLAIM FOR CONSULTATIONS

### Affidavit and Summary of Fees and Disbursements



#### Individual Whose Costs are Being Claimed

<b>Name:</b> Jay Shepherd		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of Relevant Experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input checked="" type="checkbox"/>	1980	40
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input checked="" type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

<b>Name:</b>		
	<b>Year Called to Bar</b>	<b>Completed Years Practicing/Years of relevant experience</b>
<b>Counsel/Articling Student/Paralegal:</b> <input type="checkbox"/>		
<b>Analyst/Consultant:</b> <input type="checkbox"/>		
<b>CV attached:</b> <input type="checkbox"/>	<b>CV not required:</b> <input type="checkbox"/>	

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Fees Being Claimed**



File # EB- 2018-0287/0288

Process Utility Remuneration and Responding to DERs

Party School Energy Coalition

HST Rate: 13%

Individual Whose Fees are Being Claimed	Hourly rate	Preparation for, attendance at and reporting on the September 2019 stakeholder meeting	Preparation of presentation at September 2019 stakeholder meeting	Written comments summarizing views for each initiative	Preparation for, attendance at and reporting on the February 2020 stakeholder meeting	Written comments on staff proposals	Subtotal	HST	Total
		Eligible Participant	Eligible Participant	Eligible Participant	Eligible Participant	Eligible Participant			
Jay Shepherd	\$330.00	Up to meeting time + 4 hours 24.00	Up to 6 hours 6.00	Up to 10 hours 10.00	Up to meeting time + 4 hours 10.00	Up to 10 hours 10.00	\$19,800.00	\$2,574.00	\$22,374.00
							\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00
<b>Totals:</b>							<b>\$19,800.00</b>	<b>\$2,574.00</b>	<b>\$22,374.00</b>
							<b>Total legal/consultant fees: \$22,374.00</b>		

**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Disbursements Being Claimed**



<b>File # EB-</b>	<u>2018-0287/0288</u>	<b>Process:</b> <u>Utility Remuneration and Responding to DERs</u>
<b>Party:</b>	<u>School Energy Coalition</u>	

Name of individual whose disbursements are being claimed:

<b>HST Rate Ontario: 13.00%</b>
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	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>			
	\$0.00	\$0.00	<b>\$0.00</b>

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**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Disbursements Being Claimed**



<b>File # EB-</b>	<u>2018-0287/0288</u>	<b>Process:</b>	<u>Utility Remuneration and Responding to DERs</u>
<b>Party:</b>	<u>School Energy Coalition</u>		

Name of individual whose disbursements are being claimed:

<b>HST Rate Ontario: 13.00%</b>
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Meals		\$0.00	\$0.00
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Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>			
	\$0.00	\$0.00	<b>\$0.00</b>

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**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Disbursements Being Claimed**



<b>File # EB-</b>	<b>2018-0287/0288</b>	<b>Process:</b>	Utility Remuneration and Responding to DERs
<b>Party:</b>	School Energy Coalition		

Name of individual whose disbursements are being claimed:

<b>HST Rate Ontario: 13.00%</b>
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	Net Cost	HST	Total
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Telephone/Fax		\$0.00	\$0.00
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Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
Other:		\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>			
	\$0.00	\$0.00	<b>\$0.00</b>

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**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Disbursements Being Claimed**



<b>File # EB-</b>	<u>2018-0287/0288</u>	<b>Process:</b> <u>Utility Remuneration and Responding to DERs</u>
<b>Party:</b>	<u>School Energy Coalition</u>	

Name of individual whose disbursements are being claimed:

<b>HST Rate Ontario: 13.00%</b>
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Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>			
	\$0.00	\$0.00	<b>\$0.00</b>

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**Ontario Energy Board**  
**COST CLAIM FOR CONSULTATIONS**  
**Statement of Disbursements Being Claimed**



<b>File # EB-</b>	<u>2018-0287/0288</u>	<b>Process:</b>	<u>Utility Remuneration and Responding to DERs</u>
<b>Party:</b>	<u>School Energy Coalition</u>		

Name of individual whose disbursements are being claimed:

<b>HST Rate Ontario: 13.00%</b>
---------------------------------

	Net Cost	HST	Total
Scanning/Photocopy		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone/Fax		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
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Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
Other:	<span style="background-color: yellow; display: inline-block; width: 150px; height: 15px;"></span>	\$0.00	\$0.00
<b>TOTAL DISBURSEMENTS:</b>			
	\$0.00	\$0.00	<b>\$0.00</b>

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Date	Explanation	Lwyr	Hours
20181122	Review report, Review meeting minutes, Many emails, scheduling	JCS	1.2
20190115	Review agenda, Prep for stakeholder conference	JCS	1
20190116	Attend at Stakeholder conference, Prep, Many emails, Meet with Mark	JCS	4.3
20190123	Outline of submissions, Various emails	JCS	1
20190124	Draft, revise and file letter, Many emails, Reporting	JCS	1.8
20190125	Review submissions of others	JCS	0.8
20190128	Many emails, Review IGUA submissions	JCS	1.1
20190130	Many emails	JCS	0.2
20190201	Review CCC submissions	JCS	0.3
20190315	Review Board letter, Many emails, Analysis of background information, First draft of report to client	JCS	1.2
20190316	Research on alternate remuneration scenarios, Review ACI paper	JCS	2
20190318	Many emails	JCS	0.3
20190320	Revise and file Notice of Intervention	JCS	0.5
20190717	Review Board letters and revised terms, Scheduling	JCS	0.6
20190719	Meet with Mark	JCS	0.6
20190729	Many emails, Read DRC email	JCS	0.2
20190802	Research and analysis	JCS	0.6
20190803	Research, Email to clients, Spreadsheets	JCS	1.8
20190805	Various emails	JCS	0.1
20190808	Research and analysis, Many emails	JCS	0.5
20190819	Contact school board managers	JCS	0.6
20190820	Information from school boards, Many emails	JCS	0.4
20190823	Many emails	JCS	0.2
20190825	Notice of participation, Outline of presentation	JCS	0.5
20190829	Research	JCS	1
20190902	Respond to presentation spreadsheet	JCS	0.2
20190905	Review presentations	JCS	1
20190909	Research, Prepare presentation	JCS	4
20190910	Prepare and file presentation, Many emails	JCS	4.5
20190913	Review presentations, Many emails	JCS	1.2
20190916	Review presentations, Many emails, Finalize and circulate presentation	JCS	3.5
20190917	Prep, Attend at stakeholder conference (in person), Many emails, Review presentation	JCS	8.5
20190918	Attend at stakeholder conference (in person), Many emails, Review presentations	JCS	7.4
20190919	Prep, Attend at stakeholder conference (internet), Many emails	JCS	6.2
20190923	Many emails	JCS	0.1
20190926	Review Board letter and scheduling	JCS	0.2
20191015	Research and analysis on issues	JCS	1.5
20191016	Review transcript and background materials, Plan for submissions	JCS	1
20191018	Review submission, Outline, Many emails	JCS	1
20191019	Detailed outline and edit	JCS	1.4
20191020	Research	JCS	1

20191021	Edit and reduce outline	JCS	0.6
20191023	Drafting submissions	JCS	3
20191025	Complete final edits and file, Many emails, Review submissions of others	JCS	5.2
20191029	Telephone conversation with OEB Staff	JCS	0.3
20200210	Review meeting materials	JCS	0.5
20200211	Notice of Intention To Attend	JCS	0.1
20200219	Review meeting materials and prep	JCS	2.2
20200220	Attend at Stakeholder meeting, Many emails, Review transcript	JCS	6.5
20200310	Review Board letter	JCS	0.1
20200326	Review EP and BOMA submissions, Review OEB letter and rescheduling	JCS	0.4
20200429	Background/research review, Outline of submissions	JCS	4
20200430	Draft, revise and file submissions, Review submissions of others, Many emails	JCS	7.8
20200502	Review comments, Analysis	JCS	0.5
			96.7