



**By EMAIL and RESS**

**Jay Shepherd**  
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Dir. 416-804-2767

January 5, 2021  
Our File: EB20200059

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

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

Dear Ms. Long:

**Re: EB-2020-0059 – Waterloo North 2021 Rates – SEC 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.

This proceeding involved extensive interrogatories, and an ADR that resulted in a complete settlement.

Senior counsel Jay Shepherd took the lead on this matter. Time spent by co-counsel Mark Rubenstein was limited to technical consultations to maintain consistency on certain issues with the Hydro Ottawa settlement. Time spent on the confidentiality issue at the end of the proceeding has been included under "Other Conferences".

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 light blue rectangular background.

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

<b>File # EB-</b> <u>2020-0059</u>	<b>Process:</b> <u>Waterloo North 2021 Rates</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Affiant's Name:</b> <u>Jay Shepherd</u>
<b>HST Number:</b> <u>83673-5464-RT0001</u>	<b>HST Rate Ontario:</b> <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.

**Signature of Affiant**

**Sworn or affirmed before me** at the City/Town of Toronto,  
in the Province/State of Ontario, on January 5, 2021,  
(date)

**Commissioner for taking Affidavits**

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2020-0059

Process: Waterloo North 2021 Rates

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	33,448.00
Disbursements	\$	-
HST	\$	4,348.24
<b>Total Cost Claim</b>	<b>\$</b>	<b>37,796.24</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

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

<b>File # EB-</b> <u>2020-0059</u>	<b>Process:</b> <u>Waterloo North 2021 Rates</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Jay Shepherd</u>

  

<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>	<b>Completed Years Practising/Years of Relevant Experience</b>
Legal Counsel <input checked="" type="checkbox"/>	1980	40
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		<b>Hourly Rate:</b> <u>\$330</u>
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		<b>HST Rate Charged (enter %):</b> <u>13.0%</u>
<input type="checkbox"/> CV provided within previous 24 months		

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	19.6	\$ 330.00	\$ 6,468.00	\$ 840.84	\$ 7,308.84
Responses	16.5	\$ 330.00	\$ 5,445.00	\$ 707.85	\$ 6,152.85
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	22.4	\$ 330.00	\$ 7,392.00	\$ 960.96	\$ 8,352.96
Attendance	14.6	\$ 330.00	\$ 4,818.00	\$ 626.34	\$ 5,444.34
Proposal Preparation	22.5	\$ 330.00	\$ 7,425.00	\$ 965.25	\$ 8,390.25
<b>Argument</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation	2.9	\$ 330.00	\$ 957.00	\$ 124.41	\$ 1,081.41
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 32,505.00	\$ 4,225.65	\$ 36,730.65

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**  
**Detail of Fees and Disbursements Being Claimed**



File # EB- 2020-0059

Process: Waterloo North 2021 Rates

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:			\$ -
<b>TOTAL DISBURSEMENTS:</b>	\$ -	\$ -	\$ -

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <u>2020-0059</u>	Process: <u>Waterloo North 2021 Rates</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p><b>SERVICE PROVIDER TYPE</b> (check one)</p> <p>Legal Counsel <input type="checkbox"/></p> <p>Articling Student/Paralegal <input type="checkbox"/></p> <p>Consultant <input type="checkbox"/></p> <p>Analyst <input type="checkbox"/></p> </div> <div style="width: 20%;"> <p>Year Called to Bar</p> <p style="border: 1px solid black; padding: 2px; text-align: center;">2011</p> </div> <div style="width: 40%;"> <p>Completed Years Practising/Years of Relevant Experience</p> <p style="border: 1px solid black; padding: 2px; text-align: center;">9</p> </div> </div>	
<p>For Consultant/Analyst: <input type="checkbox"/> CV attached      HST Rate Charged (enter %): <span style="border: 1px solid black; padding: 2px;">13.0%</span></p> <p><input type="checkbox"/> CV provided within previous 24 months</p>	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Responses		\$ 230.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	3.4	\$ 230.00	\$ 782.00	\$ 101.66	\$ 883.66
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation	0.7	\$ 230.00	\$ 161.00	\$ 20.93	\$ 181.93
<b>Argument</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 943.00	\$ 122.59	\$ 1,065.59

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**  
**Detail of Fees and Disbursements Being Claimed**



File # EB- 2020-0059

Process: Waterloo North 2021 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:			\$ -
<b>TOTAL DISBURSEMENTS:</b>	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours	Lwyr	Hours
20200723	Review notice, etc., Many emails	JCS	0.7		
20200730	Revise and file Notice of Intervention, Review evidence	JCS	1.2		
20200824	Review PO #1 and scheduling	JCS	0.3		
20200825	Review evidence, Review objection and response, Many emails	JCS	2.8		
20200827	Review evidence	JCS	2.1		
20200831	Review benchmarking data and spreadsheet, Start performance metrics spreadsheet	JCS	0.4		
20200902	Review evidence, Prep for interrogatories	JCS	1.1		
20200904	Review evidence, Prep for interrogatories, Review letter	JCS	1.7		
20200905	Review evidence, Research	JCS	1		
20200908	Review Staff interrogatories	JCS	0.5		
20200909	Review evidence, Drafting interrogatories	JCS	3		
20200910	Drafting and filing interrogatories, Review interrogatories of others	JCS	4.6		
20200911	Review CCC IRs	JCS	0.2		
20200928	Initial review of interrogatory responses, Many emails	JCS	1.6		
20200930	Review interrogatory responses	JCS	2		
20201001	Review interrogatory responses	JCS	1.1		
20201002	Telephone conversation with John Vellone, Review draft issues list	JCS	0.4		
20201003	Review interrogatory responses, Draft follow up questions	JCS	2.6		
20201004	Review interrogatory responses, Prep for ADR	JCS	3.6		
20201005	Review interrogatory responses, Prep for ADR, Draft follow up questions, Various emails, Review issues list	JCS	1.4		
20201005	emails			MR	0.2
20201006	Review interrogatory responses, Prep for ADR, Many emails, Telephone conversation with John Vellone and Donald Lau, Review Standby char	JCS	3.8		
20201006	emails/review standby rate proposal evidence and IRs and provide comments to JCS			MR	2
20201007	Finalize issues list, Many emails, Many calculations, Finalize, file and circulate follow up questions	JCS	6		
20201007	emails re: various issues with JCS			MR	0.5
20201008	Various emails	JCS	0.1		
20201009	Run through meeting, Review Board letter, Telephone conversation with John Vellone, Many emails, Review follow up questions from Staff	JCS	1.4		
20201010	Review evidence and responses	JCS	2		
20201011	Many emails re ADR, Review Board letter	JCS	0.3		
20201013	Prep for ADR, Many emails, Review ED proposals, Review Hydro Ottawa settlement	JCS	4.6		
20201013	review ED settlement document and provide comments to JCS			MR	0.7
20201014	Prep for ADR, Attend at ADR, Review new material, Many emails, Prep for Day 2	JCS	10.2		
20201015	Attend at ADR, Many emails, Review new materials	JCS	8.1		
20201015	emails			MR	0.1
20201016	emails			MR	0.2
20201020	Many emails	JCS	0.2		
20201023	Initial review of Settlement Proposal, Many emails	JCS	0.6		
20201024	Many emails, Review comments from others	JCS	0.4		
20201025	Review agreement, Do comparison of spreadsheets to identify anomalies, Questions to company, Many emails	JCS	3.2		
20201026	Review response, Further comparison spreadsheet, Analysis of notes and appendices, Many emails	JCS	4		



20201027	Intervenor conference call, Many emails, Scheduling, Review agreement	JCS	3.1		
20201029	Various emails	JCS	0.1		
20201030	Review Staff edits, Resolve disagreements, Many emails	JCS	2.6		
20201030	emails			MR	0.4
20201031	Finalize and send intervenor position, Various emails	JCS	0.8		
20201102	Resolve and send intervenor and Staff comments, Many emails	JCS	1.5		
20201106	Review letter, Many emails	JCS	0.2		
20201109	Many emails, Review settlement proposal Review PO#2 and scheduling	JCS	1.2		
20201110	Many emails, Review WNH changes and provide comments, Review cost of capital changes and do calculations	JCS	2.3		
20201111	Prep for intervenor meeting, Many emails, Review new information, Calculations	JCS	1.7		
20201112	Intervenor meeting, Many emails, Communicate results to Applicant	JCS	1.4		
20201113	Many emails, Review further edits	JCS	0.5		
20201114	Various emails	JCS	0.2		
20201116	Review revised agreement and schedules, Many emails	JCS	2.2		
20201123	Review Staff submission	JCS	0.6		
20201125	Review PO#3 and scheduling	JCS	0.3		
20201126	Many emails	JCS	0.1		
20201130	Review confidential documents and assess claim (no submissions)	JCS	1		
20201202	Research re: confidentiality, Review Staff submissions	JCS	0.6		
20201209	Review further confidentiality submissions	JCS	0.2		
20201210	Review Board decision and scheduling	JCS	0.4		
20201215	Review decision on confidentiality	JCS	0.3		
			98.5		4.1

32505

943

943

33448

4348.24

37796.24