



**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

April 8, 2021  
Our File: EB20200026

**Attn: Christine Long, Registrar**

Dear Ms. Long:

**Re: EB-2020-0026 –Halton Hills Hydro Inc. 2021 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. We have not claimed any time related to consultation with SEC senior counsel Jay Shepherd.

SEC submits that its participation in this proceeding was thorough and valuable and was designed to maximize its assistance to the Board. SEC therefore requests reimbursement of its reasonably incurred costs as set forth in the attached cost claim. As noted by SEC’s detailed dockets and the multiple extensions that were requested by the parties, the settlement conference and proposal drafting process took longer and was more complex than expected. Further, counsel for SEC took a leading role in the settlement process, acting as a coordinator among the intervenors. In addition, one partial issue was unsettled and we to a limited argument phase.

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. procedural matters, draft issues list process, review of OEB Staff’s submission and the Board decision, Draft Rate Order stage etc.). Further, we note that for the most part, the process of reviewing interrogatory responses and preparing for the settlement conference was conducted generally at the same time. Thus, much of the time spent reviewing interrogatory responses has been included in the ‘Settlement Conference – Preparation’ category.

Yours very truly,  
**Shepherd Rubenstein P.C.**

Mark Rubenstein

cc: Wayne McNally, SEC (by email)  
HHHI (by email)

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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-	2020-0026	Process:	Halton Hills Hydro Inc. 2021 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.

  
 Mark Rubenstein  
 2021-04-08 14:27:28  
 \_\_\_\_\_  
 Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto (via videoconference),  
in the Province/State of Ontario, on April 8, 2021.  
(date)

  
 \_\_\_\_\_  
 Commissioner for taking Affidavits

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2020-0026 Process: Halton Hills Hydro Inc. 2021 Rates

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	24,242.00
Disbursements	\$	-
HST	\$	3,151.46
<b>Total Cost Claim</b>	<b>\$</b>	<b>27,393.46</b>

**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

<b>File # EB-</b> <u>2020-0026</u>	<b>Process:</b> <u>Halton Hills Hydro Inc. 2021 Rates</u>	
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Mark Rubenstein</u>	
<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>	<b>Completed Years Practising/Years of Relevant Experience</b>
<input checked="" type="checkbox"/> <b>Legal Counsel</b> <input type="checkbox"/> <b>Articling Student/Paralegal</b> <input type="checkbox"/> <b>Consultant</b> <input type="checkbox"/> <b>Analyst</b>	<input type="text" value="2011"/>	<input type="text" value="9"/>
<b>For Consultant/Analyst:</b>	<input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	<b>Hourly Rate:</b> <input type="text" value="\$230"/>  <b>HST Rate Charged (enter %):</b> <input type="text" value="13.0%"/>

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	26.80	\$ 230.00	\$ 6,164.00	\$ 801.32	\$ 6,965.32
Responses	7.80	\$ 230.00	\$ 1,794.00	\$ 233.22	\$ 2,027.22
<b>Issues Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	25.40	\$ 230.00	\$ 5,842.00	\$ 759.46	\$ 6,601.46
Attendance	24.40	\$ 230.00	\$ 5,612.00	\$ 729.56	\$ 6,341.56
Proposal Preparation	15.20	\$ 230.00	\$ 3,496.00	\$ 454.48	\$ 3,950.48
<b>Argument</b>					
Preparation	4.50	\$ 230.00	\$ 1,035.00	\$ 134.55	\$ 1,169.55
<b>Oral Hearing</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation	1.30	\$ 230.00	\$ 299.00	\$ 38.87	\$ 337.87
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Case Management</b>			\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 24,242.00</b>	<b>\$ 3,151.46</b>	<b>\$ 27,393.46</b>

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- 2020-0026

Process: Halton Hills Hydro Inc. 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
20200930	prel review of Application/prepare and file NOI/research	MR	3.5
20201001	review Application	MR	1.5
20201007	emails	MR	0.1
20201014	emails	MR	0.1
20201016	review PO/emails	MR	0.3
20201028	review Application and draft IRs	MR	6.5
20201029	review Application and draft IRs	MR	5.2
20201030	review Application and draft IRs	MR	5
20201102	review application/draft IRs/edit, finalize and file IRs/review Board Staff and other parties IRs/emails	MR	4.6
20201103	emails	MR	0.2
20201104	emails	MR	0.1
20201117	emails/review corr	MR	0.1
20201120	emails/review PO	MR	0.1
20201126	emails/review IRR	MR	2.6
20201127	review draft issues list and provide comments/emails/review IRR and prepare for Settlement Conference	MR	5.2
20201128	review IRR/prepare for Settlement Conference	MR	1.6
20201130	review IRR/prepare for Settlement Conference/emails re:issues list	MR	7.7
20201201	emails	MR	0.1
20201202	finalize and send pre-settlement conference clarification questions/emails/review Bd Decision on issues list	MR	0.5
20201204	emails	MR	0.1
20201207	emails/review Staff clarification questions	MR	0.1
20201208	emails/preparation re: ICM true up issues/conference call w. HHHI re:clarification to SEC clarification questions	MR	2.5
20201210	p. call w. JCS	MR	0.1
20201212	review clarification question responses/emails/prepare for Settlement Conference	MR	2
20201213	prepare for Settlement Conference/emails	MR	3.7
20201214	attend Settlement Conference	MR	8
20201214	prepare offer/prepare for Day 2/prepare options analysis spreadsheet and circulate	MR	3.1
20201215	prepare for Day 2 before Settlement Conference	MR	0.5
20201215	prepare for Day 3/analyze offer and prepare tables/review HHHI material sent/review other documents and prepare analysis for parties on	MR	3.5
20201215	attend Settlement Conference	MR	3.7
20201216	attend Settlement Conference	MR	4.9
20201218	review HHHI offer material/attend Settlement Conference	MR	4.7
20201219	emails w. HHHI re:responding to offer clarification	MR	0.4
20201221	attend Settlement Conference	MR	2.7
20210106	emails	MR	0.1
20210107	emails/p. call w. R. King	MR	0.2
20210108	review corr	MR	0.1
20210112	review PO	MR	0.1
20210125	emails	MR	0.1
20210126	email	MR	0.1
20210127	emails/prel review of Settlement Proposal	MR	0.3
20210128	emails/review, edit and comment Settlement Proposal	MR	2
20210129	emails/review other parties proposed edits	MR	0.3
20210201	review other parties comments and edits to legal wording/p. call w. KW(facilitator)/receive additional models and review	MR	2
20210202	many emails/revised draft proposal/consolidated comments and edits	MR	1.5
20210203	email	MR	0.1
20210204	emails	MR	0.2
20210205	further review of settlement draft and provide edits and comments/emails	MR	1
20210206	emails	MR	0.1

20210207	review other intervenors comments and edits/consolidate Settlement Proposal and return to HHH	MR	0.4
20210208	review latest settlement proposal/many email	MR	1
20210209	emails	MR	0.1
20210210	emails/review PO/review AO and provide edits/emails	MR	0.5
20210211	emails/p. call w. Richard King (HHH)/p. call w. David Smelsky (HHH)/p. call w. K. Mancherjee (OEB)	MR	1.2
20210212	review revised Settlement Proposal/many emails/p. call w. facilitator/Zoom conference with intervenors with Staff re:HHH proposed changes	MR	1.9
20210213	emails/draft and circulate email re:response to HHH	MR	0.9
20210216	emails	MR	0.1
20210217	emails/review Board PO	MR	0.4
20210218	emails/review final version of Settlement Proposal and sign off	MR	0.5
20210222	review PO	MR	0.1
20210226	draft submissions	MR	2.8
20210227	draft submissions	MR	0.5
20210303	edit submission/review VECC draft submission	MR	0.3
20210304	finalize and file sub/review other parties submissions/review Staff submission on settlement	MR	0.9
20210318	review decision/emails	MR	0.3
20210331	review DRO/emails	MR	0.3
			105.4