



By EMAIL and RESS

Jay Shepherd
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Dir. 416-804-2767

May 5, 2021
Our File: EB20200249

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

Attn: Christine Long, Registrar

Dear Ms. Long:

Re: EB-2020-0249 – PUC Distribution 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, a continuation of a review commenced in EB-2018-0219, involved interrogatories, a technical conference, and final argument. The ICM project that was central to the issues was both unusual, and very significant in the context of the Applicant’s system and customers.

Senior counsel Jay Shepherd took the lead on this matter. The small amount of time claimed co-counsel Mark Rubenstein was directed at ensuring that SEC’s approach to the issues was consistent with the client’s regulatory perspective generally, and its positions in other cases. Additional time spent by Mr. Rubenstein has not 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, light-colored signature line.

Jay Shepherd

cc: Ted Doherty, SEC (by email)
Interested Parties (by email)

Shepherd Rubenstein Professional Corporation | **Regulatory Law**
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Toronto, ON M4S 2C6 shepherdrubenstein.com

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>2020-0249</u>	Process: <u>PUC Distribution 2021 Rates</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"/> Unregistered <input type="checkbox"/> Other <input type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/> Tax Exempt <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
 2021-05-05 13:14:
 05

Signature of Affiant

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

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2020-0249 Process: PUC Distribution 2021 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	23,709.00
Disbursements	\$	-
HST	\$	3,082.17
Total Cost Claim	\$	26,791.17

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

File # EB- <u>2020-0249</u>	Process: <u>PUC Distribution 2021 Rates</u>	
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>	
SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1980"/>	<input type="text" value="40"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <input type="text" value="\$330"/>
<input type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <input type="text" value="13.0%"/>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation	7.1	\$ 330.00	\$ 2,343.00	\$ 304.59	\$ 2,647.59
Attendance	3.6	\$ 330.00	\$ 1,188.00	\$ 154.44	\$ 1,342.44
Interrogatories					
Preparation	33.3	\$ 330.00	\$ 10,989.00	\$ 1,428.57	\$ 12,417.57
Responses	10.3	\$ 330.00	\$ 3,399.00	\$ 441.87	\$ 3,840.87
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	16.5	\$ 330.00	\$ 5,445.00	\$ 707.85	\$ 6,152.85
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 23,364.00	\$ 3,037.32	\$ 26,401.32

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0249

Process: PUC Distribution 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:			\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2020-0249</u>	Process: <u>PUC Distribution 2021 Rates</u>	
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>	
SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="2011"/>	<input type="text" value="9"/>
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		Hourly Rate: <input type="text" value="\$230"/>
<input type="checkbox"/> CV provided within previous 24 months		HST Rate Charged (enter %): <input type="text" value="13.0%"/>

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	0.8	\$ 230.00	\$ 184.00	\$ 23.92	\$ 207.92
Responses		\$ 230.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 230.00	\$ -	\$ -	\$ -
Argument					
Preparation	0.7	\$ 230.00	\$ 161.00	\$ 20.93	\$ 181.93
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 345.00	\$ 44.85	\$ 389.85

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0249

Process: PUC Distribution 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:			\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20201028	Review new evidence filing and confidentiality claim	JCS	0.6
20201028	emails/prel review of updated Application	MR	0.5
20201029	emails	MR	0.1
20201030	Review new evidence filing and confidentiality claim, Prepare NOI, Various emails	JCS	0.2
20201112	Review Board letter and instructions	JCS	0.2
20201112	emails/review Ltr	MR	0.1
20201116	Review PO #6 and scheduling	JCS	0.3
20201116	review PO	MR	0.1
20201117	Review evidence	JCS	1.0
20201118	Various emails	JCS	0.1
20201119	Review evidence, Prepare and file Declaration and Undertaking, Many emails	JCS	1.0
20201120	Review evidence, Many emails	JCS	2.0
20201123	Prepare and file Declaration and Undertaking, Emails re wording	JCS	0.4
20201124	Review confidential documents	JCS	2.0
20201126	Review new confidentiality request, Many emails	JCS	0.8
20201130	Review confidential documents, Outline of submissions, Review evidence	JCS	5.3
20201201	Review confidential materials for issues	JCS	2.0
20201207	Review Staff submissions, Draft, revise and file confidentiality submissions, Various emails	JCS	1.6
20201209	Review evidence, Interrogatory prep, Review letter	JCS	3.7
20201210	Review evidence, Interrogatory prep, Review Board letter	JCS	2.0
20201211	Review reply submission on confidentiality	JCS	0.3
20201212	Review evidence	JCS	0.8
20201214	Review new documents, Drafting interrogatories	JCS	1.0
20201215	Review Decision on confidentiality	JCS	0.2
20201216	Review evidence, Telephone conversation with Julie Girvan	JCS	1.0
20201218	Draft and revise interrogatories, Review OEB Staff interrogatories, Many emails	JCS	3.3
20201219	Review interrogatories of others	JCS	0.7
20201220	Rewrite and file interrogatories, Various emails	JCS	2.8
20201230	Review evidence	JCS	1.1
20210108	Review applicants letter	JCS	0.1
20210111	Review Board letter and scheduling	JCS	0.2
20210126	Review IRR	JCS	2.0
20210127	Review IRR	JCS	1.0
20210128	Review IRR	JCS	3.6

20210129	Review IRR	JCS	1.3
20210130	Review IRR	JCS	1.0
20210131	Review IRR, List of information still required, Emails to Board and BLG re technical conference	JCS	1.8
20210201	Various emails, Draft and file letter	JCS	0.4
20210202	Many emails, Review submissions of others, Scheduling	JCS	0.5
20210203	Review PO #7 and scheduling	JCS	0.3
20210204	Topics for Technical Conference	JCS	0.8
20210209	Various emails re TC	JCS	0.1
20210213	Various emails re TC	JCS	0.1
20210214	Prep for TC	JCS	1.0
20210216	Various emails	JCS	0.1
20210217	Many emails, Prep fo TC, Attend at TC, Review witness CVs	JCS	5.6
20210218	Review transcript	JCS	0.5
20210223	Review revision letter	JCS	0.1
20210227	Review undertakings	JCS	0.3
20210310	Review undertakings, Various emails	JCS	1.0
20210313	Review AIC, Many emails	JCS	1.0
20210314	Outline of submissions, Review transcript, Many emails	JCS	2.0
20210315	Many emails	JCS	0.2
20210315	emails/provide comments to JCS	MR	0.7
20210316	Many emails	JCS	0.2
20210317	Meeting with Julia and Shelley re submissions, Many emails	JCS	0.9
20210318	Outiline of submissions	JCS	0.5
20210322	Draft, revise and file Final Argument, Review submissions of others, Many emails	JCS	5.8
20210323	Review submissions of others, Many emails	JCS	0.8
20210401	Review reply submissions, Review evidence update, Many emails	JCS	1.7
20210407	Review Board letter	JCS	0.1
20210414	Review new filing	JCS	0.4
20210429	Review decision	JCS	1.0
			72.3