



**BY EMAIL and RESS**

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

June 14, 2021  
Our File No. 20150245

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Christine Long, Registrar**

Dear Ms. Long;

**Re: EB-2015-0245 – DSM Framework – SEC Cost Claim**

We are counsel for the School Energy Coalition. We enclose the cost claim of the School Energy Coalition for the period October 15, 2019 to May 27, 2021, on the Board's form and enclosing docket details.

SEC counsel Jay Shepherd attended all but three of the EAC meetings. For the three he missed, we have included only prep time, as his views were expressed by email in each case. SEC has not claimed 31.2 hours of Mr. Shepherd's time that exceeded the Board's limits for this work.

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 horizontal line.

Jay Shepherd

cc: Wayne McNally, SEC (email)  
Interested Parties

**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 #</b> EB- <u>2015-0245</u>	<b>Process:</b> <u>Evaluation Advisory Committee</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Affiant's Name:</b> <u>Mark Rubenstein</u>
<b>HST Number:</b> <u>83673-5464-RT0001</u>	<b>HST Rate Ontario:</b> <u>13.0%</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 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,  
in the Province/State of Ontario, on June 14, 2021  
(date)

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



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

**File #** EB- 2015-0245

**Process:** Evaluation Advisory Committee

**Party:** School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant fees	\$25,245.00
Disbursements	\$0.00
HST	\$3,281.85
<b>Total Cost Claim</b>	<b>\$28,526.85</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 third tab of this workbook.

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

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

# Ontario Energy Board

## COST CLAIM FOR CONSULTATIONS

### Affidavit and Summary of Fees and Disbursements



#### Individual Whose Costs are Being Claimed

Name: Jay Shepherd		
Counsel/Articling Student/Paralegal: <input checked="" type="checkbox"/>	Year Called to Bar: 1980	Completed Years Practicing/Years of Relevant Experience: 41
Analyst/Consultant: <input type="checkbox"/>		
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>	

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

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

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

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

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





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

**File # EB-** 2015-0245

**Process** Evaluation Advisory Committee

**Party** School Energy Coalition

**HST Rate:** 13%

<b>Individual Whose Fees are Being Claimed</b>
<b>Hourly Rate</b>

#	Activity	Date	Maximum Hours
1	EAC Call - 2018 AV: Draft Results - non-custom savings metrics	October 16, 2019	4.0
2	2017/18 CPSV/FR - Baseline and NTG Prep	October 18, 2019	3.0
3	EAC Call - CPSV Baseline Discussion	October 23, 2019	3.0
4	2019 CPSV Scope of Work - comment	November 8, 2019	1.0
5	2019 - Additional Evaluation Activities - comment	November 13, 2019	1.0
6	EAC Call - AV - Non-Savings Metrics (2018)	November 13, 2019	3.0
7	2018 Draft TRM Updates - comments	December 1, 2019	1.0
8	EAC Call - AV - DSMSI & LRAM Calculators (2018)	December 4, 2019	1.5
9	2017-2018 Draft CPSV Report - comment	January 16, 2020	4.0
10	2018 Draft Free Ridership Report - comment	January 16, 2020	4.0
11	Procurement Process - 2019 Custom Program Savings Verification - (Kesik-only)	January 20, 2020	4.0
12	EAC In-person Meeting - 2017 & 2018 Results and Reporting Discussion (including prep)	January 28, 2020	13.0
13	2017 & 2018 Annual Verification Report - comment	February 20, 2020	2.0
14	2017-2017 Custom Evaluation Executive Summary - comment	February 28, 2020	1.0
15	2017-2018 Final CPSV Report and 2018 Final Free Ridership Report - comment	February 28, 2020	3.0
16	EAC Call - Final 2017/2018 AV Reports Review & Discussion	March 4, 2020	4.5
17	EAC Call - 2019 Evaluation Options Discussion & Potential COVID-19 Impacts	April 9, 2020	2.0
18	EAC Call - 2017/2018 Evaluation Post-Mortem	April 22, 2020	2.5



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

19	EAC Call - 2020-21 EMV Activities Discussion	July 7, 2020	2.0
20	2019 AV Scope of Work - comment	July 7, 2020	1.5
21	2019 DSM Evaluation - CPSV Adjustments - comment	July 27, 2020	0.5
22	2019 TRM Workplan - comment	August 10, 2020	0.5
23	Evaluation Calculator - DSMSI, LRAMVA, Cost Effectiveness - comment	August 31, 2020	2.0
24	EAC Call - eTools Walkthrough	September 1, 2020	3.0
25	2019 Draft TRM Updates - comment	September 30, 2020	1.0
26	2020-2021 EM&V Plan Update - comments	October 12, 2020	2.5
27	2019 Annual Verification Report - comments	November 6, 2020	3.0
28	eTools Study Launch - comments	November 10, 2020	2.0
29	EAC Call - 2019 AV Results - Comments	November 16, 2020	3.0
30	IESO EM&V Protocols Update - comments	December 16, 2020	2.5
31	2019 AV Post Mortem Questionnaire - comment	January 11, 2021	1.0
32	eTools Study - Scope of Work	February 5, 2021	2.0
33	EAC Call - eTools Study Scope of Work Discussion	February 24, 2021	2.0
34	eTools Scope of Work Updates - comments	March 11, 2021	1.5
35	EAC Call - EAC Terms of Reference	April 12, 2021	2.0
36	EAC Meeting - eTools Billing Analysis Discussion	April 15, 2021	2.0
37	2020 AV Scope of Work - comment	May 7, 2021	3.0
38	EAC Meeting - eTools Calculator Discussion	May 27, 2021	4.0
			<b>Subtotal</b>
			<b>HST</b>
			<b>Total</b>

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



Jay Shepherd
\$ 330.00

Hours Claimed
-
3.0
3.0
1.0
1.0
1.2
1.0
-
4.0
4.0
-
13.0
2.0
1.0
3.0
-
2.0
2.5





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

2.0
1.5
0.5
0.5
2.0
2.3
1.0
2.5
3.0
2.0
3.0
2.5
0.2
1.3
1.5
-
2.0
-
3.0
4.0
\$25,245.00
\$3,281.85
\$28,526.85

Date	Explanation	Lwyr	Hours
20191015	Many emails, Research re NTG vs. baseline	JCS	1.0
20191016	Many emails	JCS	0.1
20191017	Many emails	JCS	0.1
20191018	Many emails	JCS	0.1
20191019	Outline of Memo re baseline vs. NTG	JCS	1.0
20191023	Review slides, Many emails, Report on research, Attend at meeting	JCS	3.5
20191024	Many lengthy emails re baseline vs. NTG	JCS	1.2
20191029	Many emails and scheduling	JCS	0.1
20191103	Many emails	JCS	0.2
20191104	Many emails	JCS	0.2
20191105	Many emails	JCS	0.2
20191107	Various emails	JCS	0.2
20191112	Prep for meeting	JCS	0.6
20191113	EAC Meeting	JCS	1.2
20191115	Many emails, Review SEM materials	JCS	0.3
20191118	Many emails	JCS	0.1
20191119	Various emails	JCS	0.1
20191129	Review Enbridge comments	JCS	0.1
20191202	Review new materials	JCS	0.2
20191203	Various emails	JCS	0.1
20191204	Many emails	JCS	0.1
20191205	Various emails	JCS	0.1
20191209	Many emails, Review various evaluation ideas	JCS	0.4
20191213	Many emails	JCS	0.2
20191219	Various emails	JCS	0.1
20191220	Many emails	JCS	0.1
20191223	Many emails	JCS	0.1
20191226	First review of CPSV report	JCS	0.3
20191227	First review of FR report, Various emails	JCS	0.4
20191230	Various emails	JCS	0.1
20200101	Review CPSV and FR Reports, Notes and analysis	JCS	1.0
20200102	Review CPSV and FR Reports, Notes and analysis	JCS	4.5
20200103	Report/comments on CPSV and FR Reports	JCS	4.1
20200106	Many emails, Scheduling	JCS	0.2
20200109	Various emails	JCS	0.6
20200113	Various emails, Review Ted's comments	JCS	0.6
20200114	Many emails, Review reports	JCS	0.2
20200115	Review comments of others	JCS	0.4
20200116	Review comments of others	JCS	0.7
20200121	Review reports	JCS	1.5
20200123	Review reports	JCS	1.5
20200124	Many emails, Review reports and draft comments, Review EMV priorities, Reivew comments of others	JCS	2.0
20200125	Complete review and provide comments on reports	JCS	3.3
20200127	Prep for meeting	JCS	1.6
20200128	Prep, Attend meeting (in person), Many emails	JCS	7.0
20200207	Various emails	JCS	0.1
20200219	Review comment matrix and revised reports	JCS	1.7

20200220	Many emails	JCS	0.4
20200221	Many emails, Review single project impacts	JCS	0.8
20200223	Various emails	JCS	0.1
20200224	Many emails	JCS	0.3
20200226	Review annual verification reports, Many emails	JCS	2.0
20200227	Comments on annual verification reports, Many emails	JCS	4.6
20200228	Review summary, Review comments of others, Many emails	JCS	1.1
20200302	Many emails, Review revisions	JCS	1.0
20200303	Many emails	JCS	0.3
20200304	Many emails	JCS	0.3
20200305	Many emails	JCS	0.2
20200306	Many emails	JCS	0.3
20200317	Various emails	JCS	0.1
20200318	Many emails	JCS	0.3
20200320	Many emails	JCS	0.4
20200406	Many emails	JCS	0.1
20200407	Various emails	JCS	0.2
20200408	Many emails, Review questionnaire, Review material provided	JCS	1.1
20200409	Prep for meeting, Meeting re Rolling Study and COVID-19, Many emails	JCS	2.5
20200413	Many emails	JCS	0.2
20200414	Many emails	JCS	0.2
20200415	Review comments from Chris and Ted, Many emails, Respond to post-mortem questionnaire	JCS	1.6
20200417	Review Enbridge comments	JCS	0.3
20200420	Various emails	JCS	0.2
20200421	Prep for meeting	JCS	1.3
20200422	Post mortem meeting and prep	JCS	1.1
20200424	Email request to Sustainable Schools	JCS	0.4
20200428	Various emails	JCS	0.1
20200504	Various emails	JCS	0.2
20200512	Various emails	JCS	0.2
20200620	Various emails	JCS	0.1
20200621	Various emails	JCS	0.1
20200622	Review work plan and comments of others, Draft and file comments, Many emails	JCS	2.3
20200626	Review EGI comments, Many emails and scheduling	JCS	0.6
20200707	Conference call re 2019/20 plan, Many emails	JCS	1.0
20200708	Provide further comments, Many emails	JCS	0.6
20200720	Various emails	JCS	0.1
20200721	Review status and timelines	JCS	0.1
20200722	Review draft TRM workplan	JCS	0.4
20200725	Review Ted's comments	JCS	0.2
20200727	Many emails	JCS	0.2
20200731	Review EC materials, Review comments of others, Many emails	JCS	1.0
20200804	Review EC responses, Various emails	JCS	0.2
20200810	Review final workplan and responses, Various emails	JCS	0.6
20200814	Many emails, Review etools materials	JCS	0.3
20200815	Various emails	JCS	0.1
20200816	Various emails	JCS	0.1
20200831	Prep for meeting	JCS	0.8

20200901	Meeting re boiler tools, Many emails	JCS	1.5
20200908	Many emails	JCS	0.1
20200916	Review new material	JCS	1.5
20200922	Various emails	JCS	0.1
20200929	Review updates, Review spreadsheets, Various emails	JCS	0.6
20200930	Many emails, Review comments of others	JCS	0.4
20201001	Review additional materials, Many emails	JCS	0.4
20201008	Review 2020 workplan	JCS	1.3
20201009	Many emails, Review Neme comments	JCS	0.3
20201012	Review Bob's comments, Comments on evaluation plan and general issue, Many emails	JCS	0.7
20201013	Various emails	JCS	0.1
20201019	Review draft 2019 report	JCS	0.4
20201021	Review draft 2019 report, Many emails	JCS	3.7
20201022	Review new Enbridge material	JCS	0.3
20201023	Many emails	JCS	0.1
20201030	Draft comments on draft report, Various emails	JCS	0.4
20201102	Review report	JCS	1.7
20201103	Complete analysis and provide comments, Many emails	JCS	1.5
20201106	Review Staff and EGI comments	JCS	0.4
20201109	Review Chris' comments	JCS	0.3
20201110	Review materials on boiler study, Analysis and comments, Many emails	JCS	1.1
20201113	Review TRM material, and various emails	JCS	0.3
20201115	Prep for meeting	JCS	0.8
20201116	Meeting	JCS	1.5
20201123	Many emails	JCS	0.2
20201125	Various emails, Review comments table	JCS	0.3
20201202	Various emails	JCS	0.1
20201203	Check final report	JCS	0.2
20201204	Various emails, Review IESO EM&V protocols (initial look)	JCS	0.4
20201208	Review Bob's comments	JCS	0.1
20201213	Review IESO protocols	JCS	1.0
20201216	Review IESO protocols, Review EGI comments, Finalize and circulate IESO comments	JCS	2.1
20201218	Review Ted's comments, Various emails	JCS	0.1
20210111	Review questionnaire	JCS	0.1
20210116	Various emails	JCS	0.1
20210119	Various emails	JCS	0.1
20210206	Review boiler tools scope of work and provide comments	JCS	1.1
20210220	Review EGI and Neme comments	JCS	0.3
20210224	Review slides, Attend at meeting, Many emails	JCS	1.2
20210316	Many emails	JCS	0.2
20210326	Various emails and scheduling	JCS	0.1
20210402	Many emails, Scheduling, Review Enbridge draft of ToR	JCS	0.7
20210405	Many emails	JCS	0.1
20210407	Various emails	JCS	0.1
20210411	Prep for meeting	JCS	0.7
20210412	Attend at meeting, Many emails	JCS	1.1
20210414	Many emails	JCS	0.1
20210509	Review 2020 scope of work	JCS	0.5
20210510	Review Chris' comments, Many emails	JCS	0.2

20210512	Many emails	JCS	0.1
20210514	Many emails	JCS	0.2
20210517	Many emails, Scheduling	JCS	0.1
20210526	Review emails, Review memo and graphs, Prep for meeting	JCS	0.8
20210527	Attentd at e-Tools meeting	JCS	2.0
			108.1