



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

July 6, 2021
Our File: EB20200134

Attn: Christine Long, Registrar

Dear Ms. Long:

Re: EB-2020-0134 – Enbridge Gas Inc. ESM/DVA – 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.

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, consideration of OEB Staff’s submission on settlement, review of the Board’s decision, the DRO process, and revisions to the settlement process at the DRO 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: Ted Doherty, SEC (by email)
Enbridge Gas Inc. (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.

File # EB-	2020-0134	Process:	Enbridge Gas Inc. ESM/DVA
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.

Signature of Affiant

Sworn or affirmed before me at the City/Town of **Toronto (via videoconference)**,
in the Province/State of **Ontario**, on **July 6, 2021**.
(date)

Commissioner for taking Affidavits

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Affidavit and Summary of Fees and Disbursements

File # EB- 2020-0134 Process: Enbridge Gas Inc. ESM/DVA

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	12,463.00
Disbursements	\$	-
HST	\$	1,620.19
Total Cost Claim	\$	14,083.19

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

File # EB- <u>2020-0134</u>	Process: <u>Enbridge Gas Inc. ESM/DVA</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	6.30	\$ 230.00	\$ 1,449.00	\$ 188.37	\$ 1,637.37
Responses	3.60	\$ 230.00	\$ 828.00	\$ 107.64	\$ 935.64
Issues Conference					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation	8.10	\$ 230.00	\$ 1,863.00	\$ 242.19	\$ 2,105.19
Attendance	15.30	\$ 230.00	\$ 3,519.00	\$ 457.47	\$ 3,976.47
Proposal Preparation	5.20	\$ 230.00	\$ 1,196.00	\$ 155.48	\$ 1,351.48
Argument					
Preparation	7.80	\$ 230.00	\$ 1,794.00	\$ 233.22	\$ 2,027.22
Oral Hearing					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation	4.30	\$ 230.00	\$ 989.00	\$ 128.57	\$ 1,117.57
Attendance		\$ 230.00	\$ -	\$ -	\$ -
Case Management			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 11,638.00	\$ 1,512.94	\$ 13,150.94

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0134

Process: Enbridge Gas Inc. ESM/DVA

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:		\$ -	\$ -	\$ -

Ontario Energy Board COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2020-0134</u>	Process: <u>Enbridge Gas Inc. ESM/DVA</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>
SERVICE PROVIDER TYPE (check one)	Year Called to Bar
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1980"/>
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
Completed Years Practising/Years of Relevant Experience	<input type="text" value="40"/>
Hourly Rate:	<input type="text" value="\$330"/>
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <input type="text" value="13.0%"/>
<input type="checkbox"/> CV provided within previous 24 months	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation	0.20	\$ 330.00	\$ 66.00	\$ 8.58	\$ 74.58
Argument					
Preparation	2.30	\$ 330.00	\$ 759.00	\$ 98.67	\$ 857.67
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
			\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 825.00	\$ 107.25	\$ 932.25

**Ontario Energy Board
COST CLAIM FOR HEARINGS**



Detail of Fees and Disbursements Being Claimed

File # EB- 2020-0134

Process: Enbridge Gas Inc. ESM/DVA

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:		\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20200903	emails	MR	0.1
20200904	prel review of app	MR	0.6
20200922	emails/review Notice	MR	0.1
20200923	prepare and file NOI	MR	0.2
20201007	emails	MR	0.1
20201021	review PO/emails	MR	0.4
20201026	review letter	MR	0.1
20201105	review evidence/draft IRs/emails	MR	2.5
20201106	finalize and file IRs/review other parties IRs/emails	MR	1
20201118	emails	MR	0.1
20201119	emails	MR	0.1
20201124	emails	MR	0.1
20201201	attend Zoom Settlement Conferene test session	MR	0.4
20201202	review IRR/many emails/prepare for Settlement Conference/research re:push down accounting issues and pension	MR	7
20201203	attend Settlement Conference	MR	6
20201203	prepare for Day 2		0.5
20201204	attend Settlement Conference	MR	3.8
20201204	prepare for Day 3		0.3
20201205	prepare for Day 3	MR	0.3
20201207	attend Settlement Conference	MR	5.5
20201207	disc w. JCS/emails re: unsettled issues	MR	0.3
20201209	emails	MR	0.2
20201209	Review CCA evidence, Various emails	JCS	0.2
20201214	emails	MR	0.2
20201215	emails	MR	0.1
20201216	emails	MR	0.1
20201218	emails	MR	0.1
20201219	review, edit and comment on Settlement Proposal/emails	MR	1.1
20201220	emails/review other parties comments and edits	MR	0.2
20201221	emails/review other parties comments and edits/consolidate all intervenor and Staff comments and re: circulate revised version	MR	1.3
20201222	revise consolidated version/emails/send tracked changes version back to EG	MR	0.5
20201230	emails/review EGI second draft and comments	MR	0.3
20201231	emails	MR	0.2
20210104	emails	MR	0.3
20210105	emails/review finalized Settlement Proposal and letter/review conf letter	MR	0.3
20210115	review Staff submission	MR	0.1
20210125	review decision	MR	0.2
20210204	emails/prel review of additional evidence	MR	0.3
20210208	review evidence and prepare for meeting/meeting w. intervenors to discuss	MR	1.3
20210210	review other parties IRs/emails	MR	0.3

20210212	review IGUA IR	MR	0.1
20210219	emails/prel review of IRR	MR	0.4
20210226	emails/prel review of Arg-in-Chief and consider	MR	0.6
20210301	review IRR	MR	2.5
20210301	review Argument-In-Chief/draft submission	MR	1.3
20210302	research/draft submission	MR	3.5
20210306	Review CCA and edit submissions	JCS	2.3
20210306	emails/edit submission	MR	0.6
20210308	finalize and file sub/review other parties sub	MR	1.2
20210309	review CME and IGUA sub	MR	0.2
20210315	review reply arg/emails	MR	0.4
20210506	emails/review decision	MR	0.4
20210518	many emails/review DRO	MR	0.9
20210519	many emails re: revision to settlement	MR	0.4
20210520	emails/review Staff sub	MR	0.3
20210602	emails/review EGI letter re: further required revision to DRO and settlement	MR	0.3
20210603	emails	MR	0.1
20210604	review EGI impact table for changes in disposition/emails	MR	0.2
20210605	emails/review EGI letter	MR	0.1
20210615	review revised DRO	MR	0.2
20210618	review Staff comments on DRO	MR	0.1
20210623	review DRO reply sub	MR	0.2
			53.1