



By EMAIL and RESS

Jay Shepherd
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Dir. 416-804-2767

August 27, 2021
Our File: EB20200091

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

Attn: Christine Long, Registrar

Dear Ms. Long:

Re: EB-2020-0091 – Enbridge IRP – 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.

The Board will be aware that IRP has been a particular concern of SEC for several years, and we have been active in a number of facilities and other proceedings in which IRP is a central issue. In some of those, SEC has in fact been the party bringing IRP issues to the issues list.

The Board will note that SEC applied more resources to this proceeding than almost every other party (except GEC, on whom SEC relied heavily for many technical matters). While we made every effort to be efficient, for example by not filing interrogatories when we realized that all of our questions were being asked by other parties, SEC recognizes that the gas distribution sector in Ontario is at a crossroads. This proceeding marks the start of what will hopefully be a significant change of direction, in keeping with the move to a lower carbon future that is so strongly supported by school boards, their staff and their students. For that reason SEC treated this application as a very high priority.

This proceeding involved interrogatories, a presentation day at which SEC was one of the presenting parties, a three day technical conference, a four day oral hearing, and thorough final argument.



Senior counsel Jay Shepherd took the lead on this matter. Time spent by co-counsel Mark Rubenstein, both docketed and undocketed, 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', written over a light gray rectangular background.

Jay Shepherd

cc: Ted Doherty, 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.

| | | | |
|--------------------|---|--------------------------|--|
| File # EB- | 2020-0091 | Process: | Enbridge Integrated Resource Planning |
| Party: | School Energy Coalition | Affiant's Name: | Jay Shepherd |
| 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 **August 31, 2021**
(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2020-0091 **Process:** Enbridge Integrated Resource Planning

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

| | | |
|-----------------------------|-----------|------------------|
| Legal/consultant/other fees | \$ | 68,079.00 |
| Disbursements | \$ | - |
| HST | \$ | 8,850.27 |
| Total Cost Claim | \$ | 76,929.27 |

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
Affidavit and Summary of Fees and Disbursements



Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

| | |
|--|--|
| File # EB- <u>2020-0091</u> | Process: <u>Enbridge Integrated Resource Planning</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"/> | 1980 | 41 | |
| Articling Student/Paralegal <input type="checkbox"/> | | | |
| Consultant <input type="checkbox"/> | | | Hourly Rate: \$330 |
| Analyst <input type="checkbox"/> | | | |
| For Consultant/Analyst: <input type="checkbox"/> CV attached | | HST Rate Charged (enter %): 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 | 12.2 | \$ 330.00 | \$ 4,026.00 | \$ 523.38 | \$ 4,549.38 |
| Attendance | 7.0 | \$ 330.00 | \$ 2,310.00 | \$ 300.30 | \$ 2,610.30 |
| Technical Conference | | | | | |
| Preparation | 28.1 | \$ 330.00 | \$ 9,273.00 | \$ 1,205.49 | \$ 10,478.49 |
| Attendance | 18.1 | \$ 330.00 | \$ 5,973.00 | \$ 776.49 | \$ 6,749.49 |
| Interrogatories | | | | | |
| Preparation | | \$ 330.00 | \$ - | \$ - | \$ - |
| Responses | 30.5 | \$ 330.00 | \$ 10,065.00 | \$ 1,308.45 | \$ 11,373.45 |
| Issues Conference | | | | | |
| Preparation | 9.3 | \$ 330.00 | \$ 3,069.00 | \$ 398.97 | \$ 3,467.97 |
| Attendance | | \$ 330.00 | \$ - | \$ - | \$ - |
| ADR - Settlement Conference | | | | | |
| Preparation | | \$ 330.00 | \$ - | \$ - | \$ - |
| Attendance | | \$ 330.00 | \$ - | \$ - | \$ - |
| Proposal Preparation | | \$ 330.00 | \$ - | \$ - | \$ - |
| Argument | | | | | |
| Preparation | 54.3 | \$ 330.00 | \$ 17,919.00 | \$ 2,329.47 | \$ 20,248.47 |
| Oral Hearing | | | | | |
| Preparation | 27.2 | \$ 330.00 | \$ 8,976.00 | \$ 1,166.88 | \$ 10,142.88 |
| Attendance | 19.6 | \$ 330.00 | \$ 6,468.00 | \$ 840.84 | \$ 7,308.84 |
| Other Conferences | | | | | |
| Preparation | | \$ 330.00 | \$ - | \$ - | \$ - |
| Attendance | | \$ 330.00 | \$ - | \$ - | \$ - |
| Case Management | | \$ 170.00 | \$ - | \$ - | \$ - |
| TOTAL SERVICE PROVIDER FEES | | | \$ 68,079.00 | \$ 8,850.27 | \$ 76,929.27 |

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



File # EB- 2020-0091

Process: Enbridge Integrated Resource Planning

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



| Date | Explanation | Lwyr | Hours | Hours |
|----------|--|------|-------|-------|
| 20200428 | Review Board letter, Review IRP proposal, Instructions re NOI | JCS | 1.1 | |
| 20200513 | Review issues, Revise and file Notice of Intervention, Many emails | JCS | 0.8 | |
| 20200521 | Review PO#1 and scheduling, Review issues list | JCS | 0.5 | |
| 20200604 | Draft and file submissions on issues list, Review submissions of others, Many emails | JCS | 4.2 | |
| 20200608 | Many emails re HER | JCS | 0.2 | |
| 20200609 | Review GEC submissions | JCS | 0.4 | |
| 20200611 | Review issues list submissions of parties, Draft, revise and file reply submissions, Review reply submissions of others, Many emails | JCS | 2.7 | |
| 20200715 | Review PO #2, Issues list decision and scheduling | JCS | 0.5 | |
| 20200722 | Initial review of IRP study | JCS | 0.5 | |
| 20200729 | Review evidence descriptions, Many emails | JCS | 0.4 | |
| 20200731 | Review PO #3 and scheduling | JCS | 0.3 | |
| 20200804 | Review PP letter, Various emails | JCS | 0.1 | |
| 20200805 | Review evidence proposals from GEC/ED, FRPO, and TransCanada, Many emails | JCS | 1.7 | |
| 20200812 | Review Enbridge correspondence, Various emails | JCS | 0.3 | |
| 20200820 | Review PO #4 and scheduling | JCS | 0.3 | |
| 20200827 | Review new filings, Many emails | JCS | 0.4 | |
| 20200903 | Review FRPO material | JCS | 0.3 | |
| 20200915 | Review PO#5 and scheduling | JCS | 0.3 | |
| 20200923 | Review evidence | JCS | 0.6 | |
| 20200928 | Review evidence | JCS | 2 | |
| 20201015 | Review new materials | JCS | 1 | |
| 20201018 | Review evidence | JCS | 0.4 | |
| 20201020 | Review new correspondence | JCS | 0.1 | |
| 20201021 | Review evidence, Review Enbridge letter | JCS | 0.7 | |
| 20201021 | emails/review EGI letter | MR | | 0.2 |
| 20201022 | Review new Enbridge evidence | JCS | 1.8 | |
| 20201023 | Review new Enbridge evidence, Review GEC letter | JCS | 2.2 | |
| 20201024 | Review new Enbridge evidence, Research, Identify interrogatories | JCS | 4 | |
| 20201106 | Many emails re upcoming evidence, Research | JCS | 0.4 | |
| 20201106 | emails | MR | | 0.3 |
| 20201109 | Review Pollution Probe communication | JCS | 0.1 | |
| 20201110 | Emails with Chris Neme and Davide Poch, Analysis of depreciation history | JCS | 0.6 | |
| 20201111 | Review Pollution Probe letter, Analysis of IRP issues with IGUA counsel, Many emails | JCS | 1.3 | |
| 20201112 | Analysis of IRP issues with IGUA counsel, Many emails, Initial review of Staff and GEC evidence | JCS | 1 | |
| 20201113 | Review evidence | JCS | 1 | |
| 20201116 | Various emails with Martin Luymes | JCS | 0.2 | |
| 20201118 | Review PO | JCS | 0.1 | |
| 20201122 | Review evidence | JCS | 0.5 | |
| 20201123 | New evidence | JCS | 1.1 | |
| 20201124 | Review new evidence | JCS | 2.2 | |
| 20201127 | Review Enbridge letter and submissions, Many emails | JCS | 0.4 | |
| 20201129 | Review new evidence | JCS | 2.4 | |
| 20201211 | Reply evidence | JCS | 0.5 | |

| | | | | |
|----------|---|-----|------|-----|
| 20201214 | Review additional evidence | JCS | 1 | |
| 20201216 | Review new material | JCS | 0.5 | |
| 20201218 | Review additional evidence and interrogatories | JCS | 0.5 | |
| 20201223 | Review evidence | JCS | 2 | |
| 20201224 | Review evidence | JCS | 2.5 | |
| 20201225 | Review evidence | JCS | 1 | |
| 20201226 | Review evidence | JCS | 4 | |
| 20201227 | Review evidence | JCS | 2.4 | |
| 20201229 | Review evidence | JCS | 1.8 | |
| 20210111 | Review evidence, Many emails | JCS | 3 | |
| 20210112 | Review interrogatories of others, Checklist, Many emails | JCS | 2.3 | |
| 20210113 | Many emails and letters | JCS | 0.1 | |
| 20210128 | Many emails | JCS | 0.3 | |
| 20210203 | Initial review of interrogatories, Many emails, Assessment re presentation day and booking presentation slot | JCS | 2 | |
| 20210205 | Review interrogatory responses | JCS | 5.2 | |
| 20210206 | Review interrogatory responses | JCS | 1.5 | |
| 20210207 | Review interrogatory responses | JCS | 2 | |
| 20210208 | Review interrogatory responses, Many emails, Review USP and AMP, Research | JCS | 4 | |
| 20210209 | Many emails, Review IRR, Topics for TC | JCS | 3.7 | |
| 20210210 | Prep for TC, Attend TC, Many emails | JCS | 8.5 | |
| 20210211 | Review Transcript, Prep for Day 2, Attend TC, Many emails | JCS | 5.3 | |
| 20210212 | Review Transcript, Prep for Day 3, Attend TC, Many emails | JCS | 5.3 | |
| 20210213 | Review transcripts | JCS | 2.5 | |
| 20210216 | Telephone conversation with Martin, Many emails | JCS | 0.8 | |
| 20210217 | Many emails | JCS | 0.1 | |
| 20210218 | Prepare presentation, Many emails, Review other presentations | JCS | 3.1 | |
| 20210219 | Many emails, Attend presentation day, Review presentations, Initial review of undertaking responses | JCS | 10.2 | |
| 20210220 | Review transcript | JCS | 1.7 | |
| 20210224 | Time estimates and preliminary hearing planning | JCS | 0.5 | |
| 20210226 | Many emails, Review new material, Review undertaking responses | JCS | 1.8 | |
| 20210227 | Review compendia of others, Many emails, Prep for hearing, Review revised schedule | JCS | 2 | |
| 20210228 | Prep for Hearing, Review evidence, Cross-examination for Panel 1 | JCS | 2.7 | |
| 20210301 | Prep for hearing, Prepare cross, Attend at hearing, Many emails, Review compendia of others | JCS | 11.6 | |
| 20210301 | emails | MR | | 0.1 |
| 20210302 | Many emails, Attend at hearing, Prep for panel 2, Review geo letter, Review various revised transcripts and initial transcript for Day | JCS | 7.1 | |
| 20210303 | Attend at hearing, Many emails, Review new materials, Review transcript for Day 2 and prepare Panel 2 cross, Transcript references, Rev | JCS | 6.1 | |
| 20210304 | Review Day 3 transcript, Many emails, Review new materials, Scheduling, Attend at hearing | JCS | 3.3 | |
| 20210305 | Review transcripts, Many emails | JCS | 1.2 | |
| 20210306 | Review PO#9 and argument prep | JCS | 0.5 | |
| 20210308 | Review ED letter | JCS | 0.1 | |
| 20210317 | Review undertaking responses | JCS | 0.5 | |

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|----------|--|-----|-------|-----|
| 20210318 | Initial scan of AIC | JCS | 0.3 | |
| 20210322 | Review Argument In Chief | JCS | 1.5 | |
| 20210323 | Many emails among intervenors | JCS | 0.8 | |
| 20210324 | Many emails among intervenors, Review transcripts | JCS | 3 | |
| 20210325 | Many emails, Analysis of issues, Review evidence | JCS | 1.5 | |
| 20210326 | Many emails among intervenors, Analysis of issues, Review evidence | JCS | 2.2 | |
| 20210327 | Review evidence | JCS | 2.4 | |
| 20210328 | Many emails, Research issues | JCS | 1.8 | |
| 20210329 | Review evidence and transcripts, Check models, Argument plan, Email debate with other parties | JCS | 8.1 | |
| 20210329 | emails | MR | | 0.3 |
| 20210330 | Review transcripts and evidence, Outline argument and drafting, Many emails, Review revised undertaking response | JCS | 6.4 | |
| 20210331 | Drafting final argument, Many emails, Reviewing evidence and external sources | JCS | 10.7 | |
| 20210401 | Complete and file Final Argument, Review arguments of others | JCS | 7.8 | |
| 20210401 | review SEC Final Argument | MR | | 1 |
| 20210402 | Review remaining arguments | JCS | 1.3 | |
| 20210421 | Review reply argument | JCS | 1.3 | |
| 20210421 | review reply argument | MR | | 0.7 |
| 20210422 | Report/analysis | JCS | 0.4 | |
| 20210724 | Initial review of decision | JCS | 0.5 | |
| 20210726 | Review decision and reporting | JCS | 2 | |
| | | | 206.3 | 2.6 |

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8850.27

76929.27