



**BY EMAIL and RESS**

**Mark Rubenstein**  
mark@shepherdrubenstein.com  
Dir. 647-483-0113

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

November 25, 2021  
Our File: CO20200015

**Attn: Christine Long, Registrar**

Dear Ms. Long:

**Re: EB-2021-0039 – Lakefront Utilities Inc. 2022 Rates – NHH Cost Claim**

We are counsel to Northumberland Hills Hospital ("NHH"). Attached, please find the cost claim using the OEB's new cost claim system.

NHH's focus was on Lakefront's proposed standby charge. This proposed charge would uniquely and materially impacted NHH as it owns and operates a combined heat and power facility. Ultimately, the issue was resolved by way of the approved Settlement Proposal, thus avoiding the need for a full hearing on the issue. NHH submits that it participated responsibly in all aspects of the process and requests that the OEB order reimbursement of its reasonably incurred costs in connection with participation in this proceeding.

For the purposes of the OEB's cost claim system, we did not include any time under the 'Communications' categories (With Client and With Other Parties) but instead included this time under the relevant category for which the communication was undertaken to further (e.g. communication with client for the purpose of reviewing the evidence, drafting interrogatories, preparing for settlement, etc.). We also note, we have included time related to reviewing OEB Staff submissions on the Settlement Proposal under the 'Settlement Conference/ADR – Preparation of Settlement Proposal' category.

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

Mark Rubenstein

cc: NHH (by email)  
Lakefront Utilities Inc. (by email)

EB-2021-0039 : 1 : Mark Rubenstein

COST CLAIM NUMBER	SUBMISSION DEADLINE DATE	CLAIM STATUS
34	November 25, 2021	Submitted
EB#	OTHER EB#S	PHASE #*
EB-2021-0039: Rates: Distribution: Lakefront Utilities Inc.		1
INTERVENOR	INTERVENOR COMPANY*	INTERVENOR TYPE
Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	Northumberland Hills Hospital, Cobourg: Institution	Qualifying Non-Profit
HST RATE ONTARIO	EXCHANGE RATE	COUNTRY
0.00		
HST NUMBER	LATE SUBMISSION ALLOWED	EXTENSION DEADLINE DATE
895535698	No	

PARTICIPANTS

New	Non-Filing Participant First, Last Name	Filing Participant	Participant Total (\$)	Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	5,451.00	Submitted

ATTACHMENTS

Attachment	Attachment Date	Participant	Document Type	Claim Type	Import Message
NHH_LUI_CostClaim_Cover_20211125.pdf			Cover Letter		

TOTAL LEGAL/CONSULTANT/OTHER FEES	TOTAL DISBURSEMENTS	TOTAL HST
5,451.00	0.00	0.00

TOTAL CLAIM	TOTAL AMOUNT AWARDED
5,451.00	

REASON FOR DISALLOWANCE	REASON FOR DISALLOWANCE - 2	REASON FOR DISALLOWANCE - 3
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MAKE CHEQUE PAYABLE TO  
Shepherd Rubenstein Profi

SEND PAYMENT TO ADDRESS  
2200 Yonge Street  
Suite 1302  
Toronto, ON  
M4S 2C6

ATTENTION  
Shepherd Rubenstein Profes

SUBMIT SECTION  
I am a representative of the Party. I have examined all of the documentation in support of this cost claim. The costs incurred and time spent are directly related to the Party's participation in the OEB Process referred to above.

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 section 6.05 and 6.09 of the OEB's Practice Direction on Cost Awards.

The information (fees and disbursements) filed in this cost claim is complete and accurate and in accordance with the OEB's Practice Direction for Cost Awards and Appendix A, the Cost Awards Tariff.

SUBMITTED BY  
Mark Rubenstein

DATE SUBMITTED  
November 25, 2021

**Mark Rubenstein**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0039: Rates: Distribution: Lakefront Utilities Inc.	EB-2021-0039 : 1 : Mark Rubenstein	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.com	Submitted

<b>FILING PARTICIPANT</b>	<b>NEW PARTICIPANT</b>	<b>NON-FILING PARTICIPANT F. NAME</b>	<b>NON-FILING PARTICIPANT L. NAME</b>
Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.com	No		

<b>SERVICE PROVIDER TYPE</b>	<b>YEAR CALLED TO BAR</b>	<b>COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE</b>	<b>HOURLY RATE</b>
Legal Counsel	2011	10	230

<b>CV STATUS (FOR CONSULTANT/ANALYST)</b>	<b>LAST CV DATE</b>	<b>HST RATE CHARGED</b>
CV Required		0.00

<b>HEARINGS</b>	<b>CONSULTATIONS</b>	<b>DISBURSEMENTS</b>
Yes	No	Yes

**HEARINGS**

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
<b>Review Application and Evidence</b>						
Review Application and Evidence	2.20	230	506.00	0.00		506.00
<b>Discovery</b>						
Preparation of Interrogatories	4.90	230	1,127.00	0.00		1,127.00
Review Interrogatory Responses	0.70	230	161.00	0.00		161.00
Technical Conference Preparation		230		0.00		
Technical Conference Attendance		230		0.00		
Technical Conference Follow Up		230		0.00		
<b>Issues List</b>						
Preparation	0.20	230	46.00	0.00		46.00
Attendance at Issues Conference		230		0.00		
<b>Intervenor Evidence</b>						
Preparation		230		0.00		
Interrogatory Responses		230		0.00		
Preparation of Witness(es) for Attendance at Hearing		230		0.00		
<b>Settlement Conference / ADR</b>						
Preparation	5.80	230	1,334.00	0.00		1,334.00
Attendance	6.80	230	1,564.00	0.00		1,564.00
Preparation of Settlement Proposal	2.50	230	575.00	0.00		575.00
Attendance at Presentation to Panel		230		0.00		
<b>Oral Hearing</b>						
Preparation		230		0.00		
Attendance at Oral Hearing		230		0.00		
<b>Submissions</b>						
Written Submissions		230		0.00		
Oral Submissions		230		0.00		
Attendance at Oral Submissions		230		0.00		
<b>Other Attendance</b>						
Other Attendance		230		0.00		
<b>Communication</b>						
With Client		230		0.00		
With Other Parties		230		0.00		
<b>Motions</b>						
Preparation of Motion(s) Materials		230		0.00		
Prepare Submissions on the Motion(s)		230		0.00		
Attendance at Hearing on Motion(s)		230		0.00		
<b>Confidentiality</b>						

Preparation of Application for Confidentiality		230		0.00	
Prepare Submissions on Confidentiality		230		0.00	
Attendance at Hearing on Confidentiality		230		0.00	
<b>Decision</b>					
Review	0.20	230	46.00	0.00	46.00
<b>Rate Order</b>					
Review	0.40	230	92.00	0.00	92.00
Prepare Submission on Rate Order		230		0.00	
<b>Total Service Provider Fees</b>					
Total Service Provider Fees:			5,451.00	0.00	5,451.00

## Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Client Fees Listing CO-2020-0015.pdf	Time Docket	

## DISBURSEMENTS

<u>Name</u>	<u>Atchmnt Required</u>	<u>Atchmnt Provided</u>	<u>Qty</u>	<u>Cost/ Unit</u>	<u>Net Cost</u>	<u>HST Rate</u>	<u>HST</u>	<u>Other Taxes/Tip</u>	<u>Total</u>	<u>Rationale/ Comment</u>
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## Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Related Disbursement Claim</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
Client Fees Listing CO-2020-0015.pdf		Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
20210519	review notice/preliminary review of standby charge/email client to schedule meeting	MR	0.3
20210526	preliminary review of LUI application and prepare for client meeting	MR	0.5
20210527	meeting w. client to discuss next steps/emails	MR	0.5
20210531	prepare Notice of Intervention	MR	0.3
20210601	draft Notice of Intervention	MR	0.2
20210605	draft cover letter, finalize and file NOI	MR	0.2
20210618	review PO/email to client	MR	0.2
20210621	emails re: issues list	MR	0.1
20210622	emails	MR	0.1
20210624	review application/review material provided by client/draft IR/emails with client	MR	1.5
20210625	emails	MR	0.2
20210628	emails/review evidence and draft IRs/research	MR	0.5
20210629	review documents provided by client regarding background to generator and provide review	MR	1.1
20210630	finalize draft IRs/emails/video conference meeting with client (EV and CC) to discuss IRs and other issues/review issues list decision	MR	1
20210702	edit IRs/draft cover letter/emails/review Staff IRs	MR	0.3
20210705	finalize and file IRs/ review other parties IRs	MR	0.3
20210803	preliminary review of IRR/email with client	MR	0.7
20210804	review IRR/prepare for Settlement Conference	MR	4
20210805	emails	MR	0.3
20210806	emails	MR	0.2
20210809	prepare for Settlement Conference/p. call w. JCS to discuss common issues	MR	1
20210810	attend Settlement Conference/p. call w. TL re:issues/review clarification question responses	MR	4
20210811	attend Settlement Conference/emails	MR	2.8
20210813	emails	MR	0.1
20210820	email	MR	0.1
20210825	emails	MR	0.1
20210826	emails/prel review of Settlement Proposal/email client views and proposal	MR	0.5
20210827	review Settlement Proposal/provide edits and comments	MR	0.7
20210830	emails/review EP comments and edits on Settlement Proposal	MR	0.2
20210831	emails	MR	0.1
20210902	emails/review other parties comments and edits	MR	0.2
20210907	emails	MR	0.1
20210909	review PO	MR	0.1
20210913	emails	MR	0.2
20210914	emails	MR	0.1
20210923	review OEB Staff submission/emails	MR	0.2
20210924	review Board letter	MR	0.1
20211012	emails	MR	0.2
20211021	emails	MR	0.1
20211025	review Staff letter	MR	0.1
20211028	review OEB decision/email client	MR	0.2
			23.7