



**BY EMAIL and RESS**

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

November 25, 2021  
Our File: EB20210009

**Attn: Christine Long, Registrar**

Dear Ms. Long:

**Re: EB-2021-0009 – Brantford Power Inc. 2022 – 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.

As shown by the difference in the hours claimed in the cost claim form and those included in our detailed dockets, we have not claimed approximately 55 hours spent by junior counsel Fred Zheng related to his matter. In our view did not provide incremental value to the process and so we treated this as learning time.

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. preparing and filing the notice of intervention, procedural matters, confidentiality, issues list, review of OEB Staff submission on the settlement proposal, review of the Board's decision, reviewing the DRO etc.).

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

Mark Rubenstein

cc: Ted Doherty, SEC (by email)  
Applicant (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-	2021-0009	Process:	Brantford Power Inc. 2022
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 11/25/2021.  
(date)

### Commissioner for taking Affidavits

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2021-0009

Process: Brantford Power Inc. 2022

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	19,526.00
Disbursements	\$	-
HST	\$	2,538.38
<b>Total Cost Claim</b>	<b>\$</b>	<b>22,064.38</b>

**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

<b>File # EB-</b> <u>2021-0009</u>	<b>Process:</b> <u>Brantford Power Inc. 2022</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Mark Rubenstein</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>
Legal Counsel <input checked="" type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst <input type="checkbox"/>	<u>2011</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	<b>Completed Years Practising/Years of Relevant Experience</b> <u>10</u>  <b>Hourly Rate:</b> <u>\$230</u>  <b>HST Rate Charged (enter %):</b> <u>13.0%</u>

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	16.20	\$ 230.00	\$ 3,726.00	\$ 484.38	\$ 4,210.38
Responses	2.40	\$ 230.00	\$ 552.00	\$ 71.76	\$ 623.76
<b>Issues Conference</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation	24.00	\$ 230.00	\$ 5,520.00	\$ 717.60	\$ 6,237.60
Attendance	19.20	\$ 230.00	\$ 4,416.00	\$ 574.08	\$ 4,990.08
Proposal Preparation	6.10	\$ 230.00	\$ 1,403.00	\$ 182.39	\$ 1,585.39
<b>Argument</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
<b>Oral Hearing</b>					
Preparation		\$ 230.00	\$ -	\$ -	\$ -
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation	4.80	\$ 230.00	\$ 1,104.00	\$ 143.52	\$ 1,247.52
Attendance		\$ 230.00	\$ -	\$ -	\$ -
<b>Case Management</b>			\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 16,721.00</b>	<b>\$ 2,173.73</b>	<b>\$ 18,894.73</b>

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- 2021-0009

Process: Brantford Power Inc. 2022

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

<b>File # EB-</b> <u>2021-0009</u>	<b>Process:</b> <u>Brantford Power Inc. 2022</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Fred Zheng</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>
Legal Counsel <input checked="" type="checkbox"/> Articling Student/Paralegal <input type="checkbox"/> Consultant <input type="checkbox"/> Analyst <input type="checkbox"/>	<u>2020</u>
For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	<b>Completed Years Practising/Years of Relevant Experience</b> <u>1</u>
	<b>Hourly Rate:</b> <u>\$170</u>
	<b>HST Rate Charged (enter %):</b> <u>13.0%</u>

Statement of Fees Being Claimed						
	Hours	Hourly Rate	Subtotal	HST	Total	
<b>Pre-hearing Conference</b>						
Preparation		\$ 170.00	\$ -	\$ -	\$ -	
Attendance		\$ 170.00	\$ -	\$ -	\$ -	
<b>Technical Conference</b>						
Preparation		\$ 170.00	\$ -	\$ -	\$ -	
Attendance		\$ 170.00	\$ -	\$ -	\$ -	
<b>Interrogatories</b>						
Preparation	8.00	\$ 170.00	\$ 1,360.00	\$ 176.80	\$ 1,536.80	
Responses	4.00	\$ 170.00	\$ 680.00	\$ 88.40	\$ 768.40	
<b>Issues Conference</b>						
Preparation		\$ 170.00	\$ -	\$ -	\$ -	
Attendance		\$ 170.00	\$ -	\$ -	\$ -	
<b>ADR - Settlement Conference</b>						
Preparation	4.00	\$ 170.00	\$ 680.00	\$ 88.40	\$ 768.40	
Attendance		\$ 170.00	\$ -	\$ -	\$ -	
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -	
<b>Argument</b>						
Preparation		\$ 170.00	\$ -	\$ -	\$ -	
<b>Oral Hearing</b>						
Preparation		\$ 170.00	\$ -	\$ -	\$ -	
Attendance		\$ 170.00	\$ -	\$ -	\$ -	
<b>Other Conferences</b>						
Preparation	0.50	\$ 170.00	\$ 85.00	\$ 11.05	\$ 96.05	
Attendance		\$ 170.00	\$ -	\$ -	\$ -	
<b>Case Management</b>						
			\$ -	\$ -	\$ -	
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 2,805.00	\$ 364.65	\$ 3,169.65	

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- 2021-0009

Process: Brantford Power Inc. 2022

Party: School Energy Coalition

Service Provider Name: Fred Zheng

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:			\$ -	\$ -
<b>TOTAL DISBURSEMENTS:</b>		\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20210528	prel review of application	MR	1
20210603	draft and finalize NOI	MR	0.2
20210603	Review emails and NOI	FZ	0.2
20210607	Review Notice of Hearing	FZ	0.1
20210615	Review Exhibit 1	FZ	0.6
20210629	prel review of application/emails	MR	0.6
20210630	review PO/email	MR	0.2
20210702	emails/prel review of draft issues list	MR	0.2
20210702	review Application/draft IRs	MR	4.5
20210702	Review Exhibit 1, Review email, BPI response to OEB Staff, and proposed issue list	FZ	2.6
20210705	Analyze Exhibit 4 and draft interrogatories	FZ	7.3
20210705	emails/prel review of draft issues list	MR	0.3
20210706	Continue to analyze Exhibit 4 and attachments, Draft and edit interrogatories, Review emails re proposed issue list	FZ	7.9
20210706	emails re: issues list	MR	0.2
20210706	review Application/draft IRs	MR	4.5
20210707	Analyze Exhibit 4 and 5, Draft interrogatories	FZ	5.5
20210707	review application/draft IRs	MR	3.6
20210707	emails re: issues list	MR	0.1
20210708	emails/review issues list letter	MR	0.2
20210709	review FZ IR on OM&A and cost of capital	MR	0.7
20210712	Zoom discussion with Mark re interrogatories, Review issue list	FZ	1
20210712	emails/zoom meeting with FZ/review issues list decision	MR	1.4
20210714	Review email	FZ	0.1
20210714	emails/review Staff sub re:confidentiality	MR	0.2
20210715	emails	MR	0.1
20210715	Compile and edit interrogatories	FZ	1.4
20210716	Review OEB Staff interrogatories and BPI reply submission on confidentiality	FZ	0.5
20210719	Review email and OEB interrogatories	FZ	0.5
20210720	Edit and finalize interrogatories for file	FZ	0.8
20210720	review revised FZ IRs/revise other IRs/emails	MR	1.5
20210721	Review email	FZ	0.1
20210722	Review email	FZ	0.1
20210722	review confidentiality decision	MR	0.1
20210726	Review OEB order on confidentiality	FZ	0.1
20210810	emails/prelim review of IRR	MR	1
20210813	Discussion with Mark	FZ	0.5
20210817	Email OEB registrar	FZ	0.1
20210818	emails	MR	0.1
20210818	Review response to interrogatories	FZ	2.3
20210819	Review response to interrogatories, analyze Exhibit 4	FZ	3.2
20210820	Review response to interrogatories, analyze Exhibit 4	FZ	1
20210823	emails/preliminary prep for Settlement Conference	MR	1.3



20210824	Review emails, draft and file Declaration and Undertaking, review interrogatory responses and attachments	FZ	5
20210824	review IRR/prepare for Settlement Conference/sign and file D&U/send pre-settlement conference questions/review Staff questions/research	MR	7.7
20210825	Review pre-settlement clarification questions, Review interrogatory responses and attachments, prepare for Settlement Conference	FZ	7
20210825	review IRR/prepare for Settlement Conference/send updated pre-settlement conference questions	MR	4.5
20210826	emails/p. call w. OS (BPI)/review confidential material	MR	0.9
20210826	Review interrogatory responses update, analyze OM&A evidence and preparation for Settlement Conference	FZ	4
20210827	Discussion with Mark	FZ	1
20210827	meeting w. FZ to discuss settlement issues	MR	1.5
20210827	prepare for Settlement Conference/p. call w. JCS re: SEC/NHH	MR	1.7
20210829	prepare for Settlement Conference/review clarification responses	MR	4.1
20210830	Settlement Conference	FZ	7
20210830	review clarification responses send late Sunday night	MR	0.7
20210830	prepare for Day 2/draft offer/many emails/review CCA spreadsheet/review merger press release and documents	MR	2.7
20210830	attend Settlement Conference	MR	7.5
20210831	Settlement Conference	FZ	7.5
20210831	emails	MR	0.2
20210831	attend Settlement Conference	MR	3
20210901	attend Settlement Conference/emails	MR	5.2
20210901	Attend Settlement Conference	FZ	2.5
20210902	attend Settlement Conference	MR	3.5
20210903	review draft letter/emails	MR	0.2
20210903	Many emails	FZ	0.4
20210915	emails/prelim review of Settlement Proposal	MR	0.5
20210915	Review BPI settlement proposal	FZ	0.7
20210916	emails	MR	0.1
20210917	emails	MR	0.1
20210919	review Settlement Proposal and provide comments and edits/emails	MR	1.7
20210920	review models/review other parties comments and edits	MR	1
20210921	emails/review draft letter	MR	0.2
20210921	Many emails	FZ	0.2
20210922	review PO	MR	0.1
20210922	Review emails	FZ	0.1
20210925	review revised Settlement Proposal and mode/provide further comments and edits	MR	1.1
20210928	review VECC and Staff comments/emails	MR	0.3
20210929	further review Settlement Proposal/emails/sign off	MR	0.7
20210930	emails	MR	0.1
20211005	emails	MR	0.1
20211006	emails/review Staff submission	MR	0.3

20211013	emails/review OEB letter	MR	0.1
20211028	review decision/email	MR	0.2
20211110	review DRO/no need for submission	MR	0.5
20211111	review OEB Staff sub	MR	0.1
20211116	review BPI reply	MR	0.1
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