



By EMAIL and RESS

Jay Shepherd
jay@shepherdrubenstein.com
Dir. 416-804-2767

January 10, 2022
Our File: EB20210015

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

Attn: Nancy Marconi, Acting Registrar

Dear Ms. Marconi:

Re: EB-2021-0015 – Elexicon 2022 Rates – 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.

This IRM rates proceeding dealt with an ICM and ESM, and involved interrogatories and 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.

This was the first ICM proceeding in which new counsel Fred Zheng was fully involved. We have treated 12 of his 22.3 docketed hours as learning time, leaving only some work he did reviewing the application and drafting interrogatories to be 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", is written over a light blue circular stamp.

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-	2021-0015	Process:	Ellexicon 2022 Rates
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 video conference)**,
in the Province/State of **Ontario**, on **January 11, 2022**
(date)

Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- 2021-0015

Process: Elexicon 2022 Rates

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	8,384.00
Disbursements	\$	-
HST	\$	1,089.92
Total Cost Claim	\$	9,473.92

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



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2021-0015</u>	Process: <u>Elexicon 2022 Rates</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"/>		
Analyst <input type="checkbox"/>		

Hourly Rate: \$330

For Consultant/Analyst: <input type="checkbox"/> CV attached <input type="checkbox"/> CV provided within previous 24 months	HST Rate Charged (enter %): 13.0%
--	--

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	5.5	\$ 330.00	\$ 1,815.00	\$ 235.95	\$ 2,050.95
Responses	3.8	\$ 330.00	\$ 1,254.00	\$ 163.02	\$ 1,417.02
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	10.8	\$ 330.00	\$ 3,564.00	\$ 463.32	\$ 4,027.32
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management					
		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 6,633.00	\$ 862.29	\$ 7,495.29

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2021-0015

Process: Ellexicon 2022 Rates

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

File # EB- <u>2021-0015</u>	Process: <u>Elexicon 2022 Rates</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Fred Zheng</u>
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p>SERVICE PROVIDER TYPE (check one)</p> <p>Legal Counsel <input checked="" type="checkbox"/></p> <p>Articling Student/Paralegal <input type="checkbox"/></p> <p>Consultant <input type="checkbox"/></p> <p>Analyst <input type="checkbox"/></p> </div> <div style="width: 20%;"> <p>Year Called to Bar</p> <p style="border: 1px solid black; padding: 2px; text-align: center;">2020</p> </div> <div style="width: 30%;"> <p>Completed Years Practising/Years of Relevant Experience</p> <p style="border: 1px solid black; padding: 2px; text-align: center;">1</p> </div> </div>	
<p>For Consultant/Analyst: <input type="checkbox"/> CV attached Hourly Rate: \$170</p> <p><input type="checkbox"/> CV provided within previous 24 months HST Rate Charged (enter %): 13.0%</p>	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	10.3	\$ 170.00	\$ 1,751.00	\$ 227.63	\$ 1,978.63
Responses		\$ 170.00	\$ -	\$ -	\$ -
Issues Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
Argument					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Oral Hearing					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 1,751.00	\$ 227.63	\$ 1,978.63

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



File # EB- 2021-0015

Process: Elexicon 2022 Rates

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:			\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours	Hours	Hours
20210902	emails	MR		0.1	
20210903	emails	MR		0.3	
20210903	Review application, Notice of Intervention	JCS	0.7		
20210903	Review email	FZ			0.2
20210904	Review application, Many emails re cost responsibility	JCS	1.0		
20210908	Review ICM policies	FZ			0.3
20211005	Meet with Fred	JCS	0.3		
20211005	Discussion with Jay	FZ			0.3
20211006	Review PO #1 and scheduling	JCS	0.3		
20211008	Review background materials and OEB policies	FZ			2.3
20211013	Review submission from First Nations	JCS	0.1		
20211019	Meet with Fred, Various emails	JCS	0.5		
20211020	Meet with Fred, Various emails	JCS	0.5		
20211020	Review ICM application and materials from previous application	FZ			4.0
20211021	Review ICM application and prepare interrogatories	FZ			5.0
20211022	Review ICM applicaton and prepare interrogatories	FZ			7.5
20211025	Review Fred's IRs, Review OEB Staff IRs, Review evidence	JCS	1.0		
20211025	Edit and send interrogatories to Jay	FZ			1.0
20211026	Review evidence, Edit and file interrogatories	JCS	3.1		
20211026	Review Jay's revision on IR	FZ			1.0
20211027	Meet with Fred, Review interrogatories of others	JCS	1.0		
20211027	Discussion with Jay	FZ			0.7
20211108	Review IRR	JCS	0.3		
20211109	Review IRR	JCS	2.0		
20211112	Review IRR	JCS	0.5		
20211115	Review PO#3, decision on confidentiality, and scheduling	JCS	0.4		
20211117	Drafting submissions, Review additional information filed, Many emails	JCS	1.1		
20211118	Drafting submissions, Many emails, Meet with Fred, Meet with Mark re Tx vs. Dx treatment	JCS	2.0		
20211118	disc. w. JCS re: ICM TS issues	MR		0.3	
20211119	Drafting, revising and filing submissions, Telephone conversation with Shelly, Review submissions of others, Many emails	JCS	4.3		
20211130	Review Reply Arugment	JCS	1.0		
			20.1	0.7	22.3

6633 1751
862.29 227.63

8384
1089.92
9473.92

