



**BY EMAIL and RESS**

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

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

February 15, 2022  
Our File: EB20210149

**Attn: Nancy Marconi, Acting Registrar**

Dear Ms. Marconi:

**Re: EB-2021-0149 – Enbridge 2020 ESM/DVA – Cost Claim**

We are counsel to the School Energy Coalition ("SEC"). We are counsel to the School Energy Coalition ("SEC"). Attached, please find the cost claim using the OEB's new cost claim system. SEC notes that we have not included any time spent by junior counsel Fred Zheng in this matter.

For the purposes of the OEB's new cost claim categorization, not included any time under the 'Communications' categories (With Client and With Other Parties) because it is hard, if not impossible, to disaggregate that time from that activity was meant to further. (e.g. communication with the client for the purpose of reviewing the evidence or communication with other parties to prepare for the settlement conference and argument preparation, etc.). We have included time in the 'Other Attendance' category for time docketed for items that do not fall within the other categories (i.e. preparing and filing the notice of intervention, other procedural matters such as procedural orders, and reviewing OEB Staff's submission on the settlement proposal etc.).

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

Mark Rubenstein

cc: Ted Doherty, SEC (by email)  
Applicant (by email)

EB-2021-0149 : 1 : Mark Rubenstein

COST CLAIM NUMBER 162	SUBMISSION DEADLINE DATE February 18, 2022	CLAIM STATUS Approved by Finance
EB# EB-2021-0149: Rates: Distribution: Enbridge Gas Inc.	OTHER EB#S	PHASE #* 1
INTERVENOR Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	INTERVENOR COMPANY* School Energy Coalition, Toronto: Corporation	INTERVENOR TYPE Full Registrant
HST RATE ONTARIO 13.00	EXCHANGE RATE	COUNTRY
HST NUMBER 83673 5464 RT0001	LATE SUBMISSION ALLOWED No	EXTENSION DEADLINE DATE

PARTICIPANTS

New	Non-Filing Participant First, Last Name	Filing Participant	Participant Total (\$)	Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	8,732.64	Submitted
Yes	Jay, Shepherd		261.03	Submitted

ATTACHMENTS

Attachment	Attachment Date	Participant	Document Type	Claim Type	Import Message
SEC EB-2021-0149 Cover Letter.pdf			Cover Letter		
SEC EB-2021-0149 Cost Claim 021520221407.pdf					

TOTAL LEGAL/CONSULTANT/OTHER FEES 7,959.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 1,034.67
TOTAL CLAIM 8,993.67	TOTAL AMOUNT AWARDED	
REASON FOR DISALLOWANCE	REASON FOR DISALLOWANCE - 2	REASON FOR DISALLOWANCE - 3

MAKE CHEQUE PAYABLE TO  
Shepherd Rubentein Professional Corporation, in trust

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

ATTENTION

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  
February 15, 2022

**Mark Rubenstein**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0149: Rates:	EB-2021-0149 : 1 : Mark	Rubenstein, Mark; +1 (647)	Submitted
Distribution: Enbridge Gas Inc.	Rubenstein	483-0113	
		mark@shepherd Rubenstein.com	

<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	No		
mark@shepherd Rubenstein.com			

<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		13.00

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

**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	3.60	230	828.00	13.00	107.64	935.64
<b>Discovery</b>						
Preparation of Interrogatories	1.60	230	368.00	13.00	47.84	415.84
Review Interrogatory Responses	1.80	230	414.00	13.00	53.82	467.82
Technical Conference Preparation		230		13.00		
Technical Conference Attendance		230		13.00		
Technical Conference Follow Up		230		13.00		
<b>Issues List</b>						
Preparation		230		13.00		
Attendance at Issues Conference		230		13.00		
<b>Intervenor Evidence</b>						
Preparation		230		13.00		
Interrogatory Responses		230		13.00		
Preparation of Witness(es) for Attendance at Hearing		230		13.00		
<b>Settlement Conference / ADR</b>						
Preparation	3.20	230	736.00	13.00	95.68	831.68
Attendance	11.60	230	2,668.00	13.00	346.84	3,014.84
Preparation of Settlement Proposal	2.80	230	644.00	13.00	83.72	727.72
Attendance at Presentation to Panel		230		13.00		
<b>Oral Hearing</b>						
Preparation		230		13.00		
Attendance at Oral Hearing		230		13.00		
<b>Submissions</b>						
Written Submissions	7.60	230	1,748.00	13.00	227.24	1,975.24
Oral Submissions		230		13.00		
Attendance at Oral Submissions		230		13.00		
<b>Other Attendance</b>						
Other Attendance	0.50	230	115.00	13.00	14.95	129.95
<b>Communication</b>						
With Client		230		13.00		
With Other Parties		230		13.00		
<b>Motions</b>						
Preparation of Motion(s) Materials		230		13.00		
Prepare Submissions on the Motion(s)		230		13.00		
Attendance at Hearing on Motion(s)		230		13.00		
<b>Confidentiality</b>						

Preparation of Application for Confidentiality		230		13.00		
Prepare Submissions on Confidentiality	0.30	230	69.00	13.00	8.97	77.97
Attendance at Hearing on Confidentiality		230		13.00		
<b>Decision</b>						
Review	0.60	230	138.00	13.00	17.94	155.94
<b>Rate Order</b>						
Review		230		13.00		
Prepare Submission on Rate Order		230		13.00		
<b>Total Service Provider Fees</b>						
Total Service Provider Fees:			7,728.00		1,004.64	8,732.64

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## Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
EB-2021-0149 Client Fees Listing.pdf	Time Docket	

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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>
EB-2021-0149 Client Fees Listing.pdf		Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
20210625	prel review of application/emails	MR	1
20210628	emails	MR	0.1
20210628	Draft NOI	FZ	0.3
20210720	review PO	MR	0.1
20210722	review PO	MR	0.2
20210726	review submissions re: confidentiality	MR	0.2
20210729	review EGI reply confidentiality submissions	MR	0.1
20210806	D&U	FZ	0.1
20210806	review application	MR	1.5
20210813	review Staff IR	MR	0.4
20210816	further review IRs/determine no further IRs necessary	MR	0.6
20210817	review IGUA corr	MR	0.1
20210823	emails	MR	0.1
20210909	review IRR	MR	1.5
20210911	review IRR and prepare for Settlement Conference	MR	2.6
20210913	attend Settlement Conference	MR	6.6
20210913	prepare for Day 2	MR	0.6
20210914	attend Settlement Conference	MR	5
20210915	review EGI letter/emails	MR	0.1
20210923	review	MR	0.4
20210927	prel review of Settlement Proposal/emails	MR	0.3
20210928	review Settlement Proposal and provide comments and edits/emails	MR	0.8
20210929	many emails	MR	0.4
20210930	emails/consolidate comment and return to EGI	MR	0.4
20211002	review final version of settlement proposal and sign-off/emails	MR	0.2
20211004	emails	MR	0.1
20211004	Review email	FZ	0.1
20211005	emails	MR	0.1
20211007	emails/review OEB Staff submission	MR	0.2
20211021	review decision/PO	MR	0.2
20211028	emails	MR	0.1
20211101	review sup evidence and draft IRs	MR	1
20211102	finalize and file IRs	MR	0.2
20211103	emails	MR	0.1
20211104	emails	MR	0.1
20211111	preliminary review of IRR	MR	0.3
20211118	emails/preliminary review of A+C	MR	0.3
20211119	review IRR and consider issues re: SEC-3/emails	MR	0.8
20211122	review IRR and draft submissions/emails	MR	2.5
20211123	Review and edit submissions on unsettled issue, Many emails	JCS	0.7
20211123	draft and edit submissions/emails	MR	0.7
20211124	many emails	MR	0.5
20211125	review LPMA sub/many emails	MR	0.6
20211126	emails	MR	0.3

20211128	review VECC draft/emails	MR	0.3
20211129	review other parties sub	MR	1.2
20211206	emails/review EGI reply argument	MR	0.4
20220127	review decision/emails	MR	0.3
			34.8

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0149: Rates:	EB-2021-0149 : 1 : Mark	Rubenstein, Mark; +1 (647)	Submitted
Distribution: Enbridge Gas Inc.	Rubenstein	483-0113	
		mark@shepherdRubenstein.com	

<b>FILING PARTICIPANT</b>	<b>NEW PARTICIPANT</b>	<b>NON-FILING PARTICIPANT F. NAME</b>	<b>NON-FILING PARTICIPANT L. NAME</b>
	Yes	Jay	Shepherd

<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	1980	41	330

<b>CV STATUS (FOR CONSULTANT/ANALYST)</b>	<b>LAST CV DATE</b>	<b>HST RATE CHARGED</b>
CV Required		13.00

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

## 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		330		13.00		
<b>Discovery</b>						
Preparation of Interrogatories		330		13.00		
Review Interrogatory Responses		330		13.00		
Technical Conference Preparation		330		13.00		
Technical Conference Attendance		330		13.00		
Technical Conference Follow Up		330		13.00		
<b>Issues List</b>						
Preparation		330		13.00		
Attendance at Issues Conference		330		13.00		
<b>Intervenor Evidence</b>						
Preparation		330		13.00		
Interrogatory Responses		330		13.00		
Preparation of Witness(es) for Attendance at Hearing		330		13.00		
<b>Settlement Conference / ADR</b>						
Preparation		330		13.00		
Attendance		330		13.00		
Preparation of Settlement Proposal		330		13.00		
Attendance at Presentation to Panel		330		13.00		
<b>Oral Hearing</b>						
Preparation		330		13.00		
Attendance at Oral Hearing		330		13.00		
<b>Submissions</b>						
Written Submissions	0.70	330	231.00	13.00	30.03	261.03
Oral Submissions		330		13.00		
Attendance at Oral Submissions		330		13.00		
<b>Other Attendance</b>						
Other Attendance		330		13.00		
<b>Communication</b>						
With Client		330		13.00		
With Other Parties		330		13.00		
<b>Motions</b>						
Preparation of Motion(s) Materials		330		13.00		
Prepare Submissions on the Motion(s)		330		13.00		
Attendance at Hearing on Motion(s)		330		13.00		
<b>Confidentiality</b>						

Preparation of Application for Confidentiality	330	13.00		
Prepare Submissions on Confidentiality	330	13.00		
Attendance at Hearing on Confidentiality	330	13.00		
<b>Decision</b>				
Review	330	13.00		
<b>Rate Order</b>				
Review	330	13.00		
Prepare Submission on Rate Order	330	13.00		
<b>Total Service Provider Fees</b>				
Total Service Provider Fees:	231.00	30.03	261.03	

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## Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
EB-2021-0149 Client Fees Listing.pdf	Time Docket	

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20210628	Draft NOI	FZ	0.3
20210720	review PO	MR	0.1
20210722	review PO	MR	0.2
20210726	review submissions re: confidentiality	MR	0.2
20210729	review EGI reply confidentiality submissions	MR	0.1
20210806	D&U	FZ	0.1
20210806	review application	MR	1.5
20210813	review Staff IR	MR	0.4
20210816	further review IRs/determine no further IRs necessary	MR	0.6
20210817	review IGUA corr	MR	0.1
20210823	emails	MR	0.1
20210909	review IRR	MR	1.5
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20210928	review Settlement Proposal and provide comments and edits/emails	MR	0.8
20210929	many emails	MR	0.4
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20211002	review final version of settlement proposal and sign-off/emails	MR	0.2
20211004	emails	MR	0.1
20211004	Review email	FZ	0.1
20211005	emails	MR	0.1
20211007	emails/review OEB Staff submission	MR	0.2
20211021	review decision/PO	MR	0.2
20211028	emails	MR	0.1
20211101	review sup evidence and draft IRs	MR	1
20211102	finalize and file IRs	MR	0.2
20211103	emails	MR	0.1
20211104	emails	MR	0.1
20211111	preliminary review of IRR	MR	0.3
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