



BY EMAIL and RESS

Mark Rubenstein
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Dir. 647-483-0113

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

February 17, 2022
Our File: EB20200290

Attn: Nancy Marconi, Acting Registrar

Dear Ms. Marconi:

Re: EB-2020-0290 – Ontario Power Generation 2022-2026 – Cost Claim

We are counsel to the School Energy Coalition ("SEC"). Attached, please find the cost claim using the OEB's new cost claim system.

This was a very complex proceeding in which SEC was involved in all aspects and with respect to all issues. Ontario Power Generation ("OPG") sought approval of approximately \$16.7Bn in nuclear revenue requirement over the proposed 5-year plan term, and recovery of additional \$740M in nuclear and hydroelectric deferral and variance accounts balances.

SEC submits that its participation in this proceeding was thorough and valuable and was designed to maximize its assistance to the OEB. SEC, therefore, requests reimbursement of its reasonably incurred costs as set forth in the attached cost claim which are commensurate with the scope of the issues and the proceeding.

The proceeding included, in addition to a 3-day oral hearing, a 4-day technical conference, and a settlement conference that, while formally lasting 6-days, included significant preparation time both before and during (evenings and throughout the June 12-13 weekend). SEC was also a participant in both the refusals conference, issues hearing, and motions hearing. Additionally, because OEB's condensed schedule provided that if there was no substantial settlement arising from the settlement conference a hearing could have begun very soon after, SEC had to start preparing for the oral hearing in parallel and in conjunction with preparing for the Settlement Conference.

The undersigned acted as lead counsel for SEC, and took a lead role amongst the intervenors in this proceeding, acting as a coordinator during the lead-up and through the settlement process. This involved acting as a liaison between the intervenors and OEB Staff, organizing and hosting a meeting between intervenors, drafting and presenting the intervenors offers at the settlement conference, and coordinating and consolidating intervenors edits and comments during the settlement proposal drafting process. The primary role of co-counsel Jay Shepherd was a discrete set of economic and technical issues (such as cost of capital, pensions and OPEBs, accounting matters, hydroelectric issues, deferral and variance accounts), and lead responsibility for the oral hearing phase.



While Procedural Order No.1 noted that the OEB will generally not allow recovery of costs for more than one attendee at various procedural events, due to the wide range of issues, their complexity, and the multitude of parties including many with differing interests, SEC required attendance by both of its senior counsel during significant portions of the Settlement Conference. Part of this arose out of allocation of issues between counsel, and part from the sheer volume of material to be dealt with. SEC submits this is reasonable in the context of the application and was a key factor in reaching the substantive settlement in this matter.

SEC also actively participated in the oral hearing on the unsettled issues and was one of a few intervenors who undertook extensive review of the complex D20 project and its lengthy history, cross-examined OPG, and filed detailed final argument. Ultimately, the OEB made a finding of imprudence and permanently disallowed \$94M (plus capitalized interest between May 2017 and the in-service date).

As shown by the difference in the hours claimed and those included in our detailed dockets, we have not claimed approximately 75 hours of time of junior counsel Fred Zheng related to this matter. For most of that, we have treated it as learning time.

For the purposes of the OEB's new cost claim categories, we have included limited time under the 'Communications' categories (With Client and With Other Parties) because it is hard, if not impossible, to disaggregate from the activity it was done in furtherance (e.g. communication with the client for the purpose of reviewing the evidence or communication with other parties to prepare for the settlement conference, etc.). Time spent related to the issues hearing has been included in the 'Issues List – Preparation' and 'Issues Conference-Attend', and for the April 23rd refusals meeting, both preparation (including discussions in advance with other intervenors) and attendance has been included in the and 'Other Attendance' category.

Yours very truly,
Shepherd Rubenstein P.C.

Mark Rubenstein

cc: Ted Doherty, SEC (by email)
Ontario Power Generation (by email)

EB-2020-0290 : 1 : Mark Rubenstein

COST CLAIM NUMBER 193	SUBMISSION DEADLINE DATE February 17, 2022	CLAIM STATUS Approved by Finance
EB# EB-2020-0290: Rates: Generation: Ontario Power Generation 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	90,887.03	Submitted
Yes	Jay , Shepherd		133,535.49	Submitted
Yes	Fred , Zheng		19,939.98	Submitted

ATTACHMENTS

Attachment	Attachment Date	Participant	Document Type	Claim Type	Import Message
SEC OPG Cover Letter.pdf			Cover Letter		
SEC EB-2020-0290 Cost Claim 021720221550.pdf					

TOTAL LEGAL/CONSULTANT/OTHER FEES 216,250.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 28,112.50
TOTAL CLAIM 244,362.50	TOTAL AMOUNT AWARDED	
REASON FOR DISALLOWANCE	REASON FOR DISALLOWANCE - 2	REASON FOR DISALLOWANCE - 3

MAKE CHEQUE PAYABLE TO
Shepherd Rubenstein 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 17, 2022

Mark Rubenstein

CASE	COST CLAIM	INTERVENOR NAME	PARTICIPANT CLAIM STATUS
EB-2020-0290: Rates: Generation: Ontario Power Generation Inc.	EB-2020-0290 : 1 : Mark Rubenstein	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.com	Submitted

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

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

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

HEARINGS	CONSULTATIONS	DISBURSEMENTS
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>
Review Application and Evidence						
Review Application and Evidence	8.90	230	2,047.00	13.00	266.11	2,313.11
Discovery						
Preparation of Interrogatories	57.70	230	13,271.00	13.00	1,725.23	14,996.23
Review Interrogatory Responses	52.80	230	12,144.00	13.00	1,578.72	13,722.72
Technical Conference Preparation	11.30	230	2,599.00	13.00	337.87	2,936.87
Technical Conference Attendance	22.80	230	5,244.00	13.00	681.72	5,925.72
Technical Conference Follow Up	3.60	230	828.00	13.00	107.64	935.64
Issues List						
Preparation	6.20	230	1,426.00	13.00	185.38	1,611.38
Attendance at Issues Conference		230		13.00		
Intervenor Evidence						
Preparation		230		13.00		
Interrogatory Responses		230		13.00		
Preparation of Witness(es) for Attendance at Hearing		230		13.00		
Settlement Conference / ADR						
Preparation	86.80	230	19,964.00	13.00	2,595.32	22,559.32
Attendance	46.50	230	10,695.00	13.00	1,390.35	12,085.35
Preparation of Settlement Proposal	16.10	230	3,703.00	13.00	481.39	4,184.39
Attendance at Presentation to Panel		230		13.00		
Oral Hearing						
Preparation	8.10	230	1,863.00	13.00	242.19	2,105.19
Attendance at Oral Hearing		230		13.00		
Submissions						
Written Submissions	2.60	230	598.00	13.00	77.74	675.74
Oral Submissions		230		13.00		
Attendance at Oral Submissions		230		13.00		
Other Attendance						
Other Attendance	8.10	230	1,863.00	13.00	242.19	2,105.19
Communication						
With Client	0.00	230		13.00		
With Other Parties	1.30	230	299.00	13.00	38.87	337.87
Motions						
Preparation of Motion(s) Materials	0.90	230	207.00	13.00	26.91	233.91
Prepare Submissions on the Motion(s)	4.30	230	989.00	13.00	128.57	1,117.57
Attendance at Hearing on Motion(s)	3.20	230	736.00	13.00	95.68	831.68
Confidentiality						

Preparation of Application for Confidentiality		230		13.00		
Prepare Submissions on Confidentiality	5.20	230	1,196.00	13.00	155.48	1,351.48
Attendance at Hearing on Confidentiality		230		13.00		
Decision						
Review	2.00	230	460.00	13.00	59.80	519.80
Rate Order						
Review	1.30	230	299.00	13.00	38.87	337.87
Prepare Submission on Rate Order		230		13.00		
Total Service Provider Fees						
Total Service Provider Fees:			80,431.00		10,456.03	90,887.03

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Docket Listing.pdf	Time Docket	

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Related Disbursement Claim</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
Docket Listing.pdf		Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
20201215	Many emails, Review hearing schedules and comments to Mark	JCS	0.4
20201217	Many emails, Review forecast rates	JCS	0.4
20201218	Meet with Mark re: issues and planning for proceeding, Review presentation, Initial school impact analysis	JCS	0.7
20210102	emails	MR	0.1
20210102	Research re OReg, Various emails	JCS	0.4
20210108	emails	MR	0.1
20210109	Initial review, Many emails	JCS	2
20210111	attempt to download and extract Application/preliminary review of Application	MR	2.2
20210113	prelim review of Application	MR	0.5
20210114	emails	MR	0.1
20210115	Review materials	JCS	2
20210118	Review Notice, Various emails	JCS	0.3
20210119	assemble Application pdfs in single files to review	MR	1.5
20210120	email/review interim order	MR	0.1
20210121	review evidence	MR	3.2
20210122	review Application/draft IRs	MR	5
20210123	review Application/draft IRs	MR	6.5
20210125	emails/review evidence/draft IRs/prepare letter of intervention	MR	1.2
20210126	review evidence/draft IRs	MR	2.5
20210127	p. call w. S. Grice/finalize and file NOI/emails	MR	0.6
20210128	review evidence/draft IRs	MR	1.5
20210129	review evidence/draft IRs	MR	1.3
20210130	review evidence and draft IRs	MR	5.8
20210131	research/review evidence and draft IRs	MR	0.5
20210205	review evidence and draft IRs	MR	3
20210217	review PO/emails	MR	0.5
20210218	Review PO #1 and scheduling, Review allocations	JCS	1
20210222	emails/sign and file D&U	MR	0.2
20210223	emails	MR	0.1
20210225	Review experts plan	JCS	0.1
20210225	file D&U	MR	0.1
20210228	Complete and execute Declaration and Undertaking	JCS	0.2
20210228	review evidence and draft IRs	MR	3.5
20210302	review Staff confidentiality sub	MR	0.3
20210304	review confidential information	MR	1
20210305	video call with GJ (OAPPA) re: Application/review evidence and draft IRs	MR	3.3
20210305	draft and file submissions on confidentiality	MR	0.5
20210308	review evidence and draft IRs	MR	2.4
20210309	Meet with Mark re division of responsibility in interrogatories	JCS	0.4
20210310	Review evidence	JCS	3
20210310	review evidence and draft IRs	MR	1.2
20210312	Review evidence	JCS	2
20210312	review evidence/draft IRs	MR	3.5
20210313	Re-assign responsibilities	JCS	0.1
20210313	emails	MR	0.1
20210314	Review evidence, Drafting interrogatories	JCS	2.8

20210315	Review evidence, Spreadsheets	JCS	4
20210315	review evidence and draft IRs/p. call w. J. Girvan	MR	4.7
20210315	review reply sub on confidentiality	MR	0.2
20210316	emails	MR	0.1
20210317	Review evidence	JCS	1.3
20210317	emails/video conference with BY (OSEA) to discuss issues	MR	0.5
20210318	Review evidence	JCS	1.2
20210318	review evidence and draft IRs	MR	3.5
20210319	review evidence/prepare IRs	MR	2.5
20210320	Review evidence, Review external sources, First batch of interrogatories, Various emails	JCS	10.3
20210321	Review evidence, Second batch of interrogatories	JCS	4.1
20210321	OPG review evidence/prepare IRs/consolidate IRs and edit	MR	1.5
20210322	Review IRs of others, Many emails	JCS	2
20210322	edits, finalize and file IRs/emails/review other parties IRs	MR	1.2
20210323	review parties IRs	MR	1
20210324	emails re: responding to OPGs IR clarification questions	MR	0.2
20210326	Review evidence	JCS	2
20210328	Review evidence	JCS	0.8
20210412	disc w. JCS	MR	0.2
20210413	review confidentiality decision/email	MR	0.2
20210416	Many emails	JCS	0.2
20210416	emails	MR	0.1
20210418	Plan IRR scheduling	JCS	0.2
20210419	Many emails	JCS	0.2
20210419	prel review of IRR/emails	MR	1.5
20210420	Initial review of IRR, Many emails, Review OPG letter	JCS	1.1
20210420	attend refusal day test session and discussion with parties	MR	1.1
20210420	review IRR	MR	2.1
20210421	Review interrogatory responses, Many emails, Review refusals table, Review edits to Issues List, Review Board letter	JCS	1.6
20210421	emails/review Bd corr/p.call w. M. Millar and L. Gluck/review IRR	MR	4.6
20210422	Review refusals, Many emails, Telephone call with Mark, Review OPG letter	JCS	1.8
20210422	review IRR	MR	3.6
20210422	prepare for Friday refusal meeting/video meeting w. S. Grice (AMPCO) and S. Pollock (CME) re: refusal meeting issues and common IRs/draft letter	MR	4
20210423	Review IRR	JCS	4
20210423	emails/attend IR refusal meeting	MR	3
20210423	review IRR/undertake analysis	MR	3.5
20210424	undertake analysis/review IRR	MR	2.5
20210425	Review evidence and IRR	JCS	1
20210425	review IRR/undertake analysis	MR	4.8
20210426	Many emails, Review Issues List comments, Issues analysis	JCS	1
20210426	review IRR/emails	MR	3.2
20210427	Review IRR, Topic areas and time estimates, Many emails	JCS	3
20210427	review corr re: disputed IRR/emails/prelim review of further IRs/review ED corr/review OPG corr/emails re: SEC-11 and CME 1	MR	2.7
20210428	Review IRR, Many emails, Review topic areas and scheduling, Analysis of Issues List and draft positions	JCS	3

20210428	review IRR/review draft Issues List, additional issues and provide comments/emails/draft and file TC issues letter	MR	9.3
20210429	Review IRR, Many emails, Review motion decision and PO2 and scheduling	JCS	2.6
20210429	review IRR/prepare for TC/review Bd PO and decision on ED motion	MR	6.3
20210430	Review IRR, Various emails, Review schedule	JCS	1.2
20210430	review IRR/prepare for TC	MR	6.2
20210501	prepare for TC	MR	2.5
20210501	Review new schedule, Breakdown of question areas, Many emails, Review new material	JCS	0.6
20210502	prepare for TC	MR	4.5
20210502	Prep for Technical Conference, Review TC materials, Many emails	JCS	1.2
20210503	attend Technical Conference	MR	7.7
20210503	Listen in Day 1 Technical Conference, Many emails, Prep for Technical Conference, Review IR responses	JCS	4
20210504	review Day 1 Transcript/p. call w. Shelley Grice	MR	1.5
20210504	emails: Issues List/p. call w. Michael Miller	MR	0.5
20210504	Many emails, Review Issues List changes and proposals	JCS	0.4
20210505	prepare for Day 2 of Technical Conference and panel 3	MR	2.5
20210505	emails re: Issues List	MR	0.2
20210505	Prep for Technical Conference, Review further materials, Many emails, Review updated schedule, Review Staff materials	JCS	4.8
20210506	attend Technical Conference	MR	7.7
20210506	emails/review Transcript	MR	0.5
20210506	Attend at Technical Conference (Zoom), Review CME questions, Many emails, Prep for second day, Initial review of transcript	JCS	8.1
20210507	attend Technical Conference	MR	7.4
20210507	Attend at Technical Conference (Zoom, then internet), Many emails	JCS	5.5
20210508	Review issues disputes	JCS	1.2
20210509	emails/prepare for Panel 3 confidentiality questions	MR	1.5
20210509	Many emails, Review updated schedule	JCS	0.3
20210510	emails w. S. Pollock and others re: audit reports	MR	0.3
20210510	attend Technical Conference	MR	5.5
20210510	Attend at TC (listen only), Many emails, Review previous transcripts	JCS	3
20210511	Many emails, Meeting with Fred, Review Motions Day material	JCS	2.4
20210511	Review PO1 and PO2, Review interrogatories, Consult other exhibits or filings	FZ	1.3
20210512	many emails	MR	0.8
20210512	Many emails, Review edits to Issues List, Meeting with Lusney and Yauch	JCS	2
20210512	Review Concentric report, Analyze OPG's capital structure, Consult other resources	FZ	6.9
20210513	prepare and finalize motions letter	MR	0.6
20210513	emails re: Issues List/review letter	MR	0.3
20210513	Meet with Fred re cost of capital	JCS	1.2
20210513	Many emails, Review transcripts, Draft positions on refusals, Review issues list problems, Meet with Fred re: cost of capital	JCS	2.2
20210513	Review Motion Day issue list	FZ	0.2
20210514	Review new evidence filing, Many emails, Review Motions Day correspondence	JCS	2.6
20210514	Review EB-2016-0152, Analyze OEB arguments and on just and prudent cost of capital	FZ	1

20210516	Review evidence	JCS	2
20210517	emails/disc w JCS/consider confidentiality request on IRR/p. ca. W. J. Girvan	MR	1.2
20210517	Prep for Issues Hearing, Prepare Compendium, Many emails, Review AMPCO letter	JCS	5.3
20210517	Review EB-2016-0152 decision, Analyze OEB's comments on expert opinions, Analyze OPG's current capital structure application, Email discussion regarding LEI opinion	FZ	2.1
20210518	review confidentiality request on IRR and draft submissions	MR	1.7
20210518	Attend at Issues Hearing, Many emails, Review transcript	JCS	5.7
20210518	Continue to review EB-2016-0152 decision	FZ	0.5
20210519	emails/prepare for motion day	MR	0.5
20210519	prepare for Settlement Conference	MR	2
20210519	Many emails, Scheduling	JCS	0.2
20210519	Continue to review EB-2016-0152 decision, Review SEC and OPG arguments re: capital structure issues re EB-2016-0152, Review Concentric Report	FZ	7.8
20210520	review UT responses/zoom call w. L. Gluck, M. Millar, I. Richler (OEB Staff)	MR	1.6
20210520	review Issues List decision/prepare for Motions Day/prepare compendium/multiple p. calls w. C. Smith (OPG)/p. call w. JCS/emails	MR	3.5
20210520	file confidentiality sub/review other parties sub	MR	0.2
20210520	Review Issues List decision, Many emails, Review compendia, Review confidentiality submissions	JCS	2.8
20210520	Review D20 project evidence, Email w. MR re D20 project, Review OEB decision on Issue List	FZ	3.5
20210521	prepare for Motions Hearing/p. call w. C. Smith (OPG)	MR	0.3
20210521	attend Motion Hearing	MR	3.2
20210521	p. call w. S. Grice re: intervenor meeting next week	MR	0.5
20210521	Attend at Motions Day (listening only), Many emails, Review revised transcripts from TC, Review partial undertakings	JCS	5.1
20210521	Review LEI and Concentrics report, Consult outside resources, Draft counter arguments	FZ	4.7
20210522	Reviewing IRRs	JCS	2
20210523	Reviewing IRRs, Cost of capital analysis	JCS	2
20210524	review D20 material/p. call w. S. Grice re: confidentiality issues re: 152 proceeding	MR	1.8
20210524	Compare Concentrics and LEI reports, Draft counter arguments	FZ	1.5
20210525	emails to OPG re: D20	MR	0.3
20210525	Review LEI evidence, Compare Concentric evidence, Draft, revise and file interrogatories, Many emails, Review IRs of others, Many email	JCS	7.1
20210525	Review D20 project evidence, Review EB-2016-0152 decision and SEC's subs re D20 project and OPG's P&M performance, Review SEC IRs to LE	FZ	6.3
20210526	host meeting with ratepayer intervenors to prepare for settlement conference/p. call w. L. Gluck/emails/p. call w. M. Millar	MR	2.8
20210526	Intervenor meeting, Review positions of others, Many emails	JCS	2.2
20210526	Review D20 submissions, Review EB-2016-0152 decision and SEC submissions re: D20 project and OPG's P&M performance, p. call w. MR	FZ	4.3
20210527	review motion decision/emails/review OPG conf reply sub	MR	0.5
20210527	Further review of transcripts and evidence, Review hydroelectric data, Many emails, Review Motions Day decision	JCS	2.4

20210527	Analyze Bates White report re D20 project, Analyze Burns and McDonnell oversight report re D20 project, Prepare information table for q	FZ	4.8
20210528	meeting w. FZ to discuss D20 work	MR	0.3
20210528	prepare for Settlement Conference	MR	3.5
20210528	Analyze multiple RCRB reports from 2017 and 2018, Prepare information table for questioning, Discuss with Mark	FZ	5.2
20210529	prepare for Settlement Conference/emails	MR	2.2
20210529	Review new undertakings	JCS	0.3
20210530	prepare for Settlement Conference	MR	0.8
20210531	emails/review UT responses/prepare for Settlement Conference	MR	6.4
20210531	Review OPG letter, Many emails	JCS	0.6
20210531	Analyze various RCRB and Burns and McDonnell/Modus reports re D20 project, Prepare information table for questioning	FZ	7.6
20210601	prepare for Settlement Conference/many emails/p. call w. S. Grice	MR	6.6
20210601	Various emails	JCS	0.1
20210601	Review various internal and external reports on D20 project, Continue to prepare information table for hearing	FZ	8.8
20210602	prepare for Settlement Conference/p. call w. S. Grice/many emails	MR	9.5
20210602	Meet with Fred, Many emails	JCS	0.6
20210602	Review various interrogatories and reports submitted by OPG on D20 project, Continue to prepare information table for questioning, review emails	FZ	8.6
20210603	meeting w. L. Gluck and S. Grice to discuss issues/p. call w. Richard Stephenson (PWU)/p. call w. B. Dumka (SUP)/prepare for Settlement Conference	MR	10.5
20210603	Prep for ADR, Many emails, Initial review of LEI responses, Review Mark's ADR circulation	JCS	3.1
20210603	Draft comparison table based on Concentric and LEI reports, Review emails	FZ	6.8
20210604	meeting w. FZ to discuss D20/p. call w. S. Grice/meeting w. S. Grice and C. Anderson re: OPG issues/prepare for Settlement Conference/p. call w. JCS to discuss issues/many emails/review UT response	MR	9.3
20210604	Prep for ADR, Telephone call with Mark, Many emails, Review further materials, Declaration and Undertaking, Review ED pre-ADR questions	JCS	4.4
20210604	Discussion with Mark re: variance account and Settlement Proposal, Review decision on issue list, review interrogatory response of LEI	FZ	3
20210605	review UT responses/prepare for Settlement Conference/many emails/p. call w. S. Grice	MR	9
20210605	Many emails, Review LEI responses and analysis of Cost of Capital	JCS	2.5
20210606	review UT responses/emails/prepare for Settlement Conference/p. calls w. S. Grice/Zoom accl w. S. Grice	MR	7.5
20210606	Review Mark's positions analysis, Review Tom's depreciation analysis, Many emails	JCS	1
20210607	attend Settlement Conference	MR	8.5
20210607	p. call w. M. Millar/p. call w. JCS/p. call w. Facilitator/emails/draft provisional offer and prepare for Day 2	MR	3.9
20210607	review UT responses filed in the middle of the night and prepare for Settlement Conference before Day 1	MR	1.7
20210607	Attend at ADR, Many emails, Develop proposals, Review and sort undertaking responses	JCS	8.1
20210607	Attend Settlement Conference	FZ	6.5

20210607	Review LEI and Concentric report and responses to interrogatories by LEI, Draft evidence review report	FZ	3
20210608	Prepare for Day 2 before Settlement Conference day begins	MR	0.5
20210608	attend Settlement Conference	MR	7.5
20210608	review confidentiality decision	MR	0.1
20210608	Attend at ADR, Many emails, Side meetings	JCS	2.8
20210608	Draft comparative analysis section of the evidence review report on capital structure, Review emails	FZ	2.5
20210608	Attend Settlement Conference	FZ	7.5
20210609	emails/attend Settlement Conference	MR	7.1
20210609	Attend at ADR, Many emails, Side meetings	JCS	9
20210609	Attend Settlement Conference	FZ	5.4
20210609	Analyze concentric report again, Draft comparative evidence review, review emails re: settlement offers	FZ	4.1
20210610	emails/attend meeting with OEB Staff and OPG/attend Settlement Conference	MR	7.5
20210610	prepare for Day 5/p. call w. JCS/p. call w. Michael Millar/p. call w. S. Grice	MR	1.6
20210610	ADR followup, Many emails, Telephone conversation with Mark, Detailed analysis of impacts	JCS	4
20210610	Review LEI report and draft overview section of the evidence review report	FZ	7.3
20210610	Attend Settlement Conference	FZ	6
20210611	attend Settlement Conference	MR	7
20210611	p. call w. JCS/p. call Michael Millar/p. call w. S. Grice/emails re: consider offer/prepare financial impact analysis	MR	2.2
20210611	Attend at ADR, Many emails, Review calculations, Review Board letter, Review SBG wording proposals	JCS	7.3
20210611	Draft evidence review report, Edit and finalize the report, Review emails	FZ	3.4
20210611	Attend Settlement Conference	FZ	5
20210612	emails/prepare options analysis and circulate/p. call w. JCS/p. call w. S. Grice	MR	2.1
20210612	Review Fred's equity thickness report, Many emails re settlement discussions, Further SBG discussions, Calculation of settlement impacts	JCS	3.7
20210613	many emails/p. call w. S. Grice x2/p. call w. J. Girvan/prepare for Day 6	MR	3.5
20210613	ADR Prep, Many emails, Review drafts of proposals, Settlement calculations and impacts	JCS	4.3
20210614	attend Settlement Conference	MR	8.9
20210614	many emails	MR	0.4
20210614	SBG group meeting, Attend at ADR, Many emails, Review various drafts of wording, etc., Review further undertaking responses	JCS	8.4
20210614	Review Settlement Conference status letter and emails	FZ	0.2
20210614	Attend Settlement Conference	FZ	2
20210615	emails	MR	0.1
20210616	emails	MR	0.1
20210616	Review Fred's D20 Report, Many emails	JCS	1.1
20210616	Review emails	FZ	0.2
20210617	emails	MR	0.1
20210617	Many emails	JCS	0.1
20210617	Review emails	FZ	0.2
20210618	emails	MR	0.1
20210618	Many emails	JCS	0.2
20210618	Review email	FZ	0.1

20210621	emails	MR	0.1
20210621	Many emails, Review procedural schedule	JCS	0.2
20210621	Review Lawrie's email	FZ	0.2
20210622	emails	MR	0.1
20210622	Many emails, Scheduling, Planning for hearing	JCS	0.4
20210622	Review emails on procedural schedules	FZ	0.3
20210623	emails	MR	0.1
20210623	Many emails	JCS	0.2
20210623	Review emails	FZ	0.1
20210624	emails	MR	0.3
20210624	Many emails	JCS	0.3
20210624	Review email	FZ	0.3
20210628	p. call w. J. Girvan re: D20	MR	0.1
20210629	emails/p. call w. JCS re: D20	MR	0.2
20210629	Many emails re: D20	JCS	0.2
20210630	emails/review update IRR	MR	0.3
20210630	Email re new AMPCO-79	JCS	0.1
20210702	Many emails	JCS	0.2
20210702	Review email and draft settlement agreement	FZ	0.5
20210702	review email from OPG re: Settlement Proposal/send to intervenors	MR	0.4
20210703	review Settlement Proposal and DPAO	MR	1.2
20210704	Initial impact analysis, Many emails	JCS	1
20210705	Review settlement agreement and DPAO including schedules, Edit, Many emails to other intervenors, Impact analysis for client	JCS	4.8
20210705	review Settlement Proposal and DPAO and provide edits and comments/review calculations/many emails/p. call w. JCS re: his comments/inpu	MR	5.1
20210706	Many emails	JCS	0.2
20210706	Review newly filed CME-19 documents, Discussion wtith Mark	FZ	0.2
20210706	emails/further edits and comments on Settlement Proposal/p. call. w. L. Gluck	MR	0.6
20210707	Preliminary review of intervenors' comments on proposed settlement	FZ	0.2
20210707	emails/review clarification from OPG/p. call w. S. Grice/review parties further edits	MR	1
20210707	Many emails, Review comments of others	JCS	0.3
20210708	Many emails	JCS	0.1
20210708	email/review other parties changes to proposal/begin to consolidate intervenor comments and resolve issues	MR	2.2
20210708	Many emails on Settlement Proposal	FZ	0.4
20210709	Many emails	JCS	0.2
20210709	Many emails on Settlement Proposal	FZ	0.4
20210709	many emails finalizing consolidated comments and edits/p. call w. S. Grice/provide consolidated comments and edits to OPG	MR	1.9
20210710	Various emails	JCS	0.1
20210712	Many emails	JCS	0.3
20210713	Review new version of agreement and schedules, Many emails, Review updates	JCS	1.4
20210713	Update and edit D20 evidence review table	FZ	4.5
20210713	Many emails and revisions of Settlement Proposal	FZ	1

20210713	prepare D20 hearing memo and consolidate evidence and information for JCS/emails	MR	3.5
20210713	review Settlement Proposal and attachments v.2, provide comments and edits/ many emails/p. call w. S. Grice/p. call w. L. Gluck	MR	2.2
20210714	Many emails, D20 review	JCS	0.5
20210714	emails/consolidate intervenors comments and send to OPG	MR	0.9
20210714	Emails and revisions on Settlement Proposal	FZ	0.4
20210715	Review further revisions, Many emails, Respond on behalf of intervenors	JCS	1.3
20210715	Many emails	FZ	0.5
20210715	preliminary review revised OPG Settlement Proposal and provide comments to JCS/emails	MR	0.3
20210716	Review filed Settlement Proposal, Many emails	JCS	1
20210719	Review PO#4 and scheduling	JCS	0.3
20210721	Prep for Oral Hearing	JCS	1
20210722	Review Staff comment submissions, Many emails	JCS	0.5
20210722	Review emails	FZ	0.2
20210722	review Staff sub/emails	MR	0.3
20210723	Many emails	FZ	0.2
20210723	Many emails re Oral Hearing, Analysis of cross issues, Review new material filed, Review Board letter	JCS	1.1
20210724	Review emails	FZ	0.1
20210724	Many emails re Oral Hearing	JCS	0.2
20210726	Many emails, Cross estimates	JCS	0.6
20210727	D20 materials review, Many emails, Cross estimates	JCS	1.4
20210728	Review assignment instruction from Jay	FZ	0.1
20210728	Review hearing plans, Many emails, Instructions to Fred re Oral Hearing, Cross prep	JCS	1.8
20210729	Review D20 evidence and cross preparation, Many emails, Review video, Scheduling, Review Mike's Excel listing of evidence	JCS	3.6
20210729	email	MR	0.1
20210730	Review D20 evidence and cross preparation	JCS	2
20210731	Review D20 evidence and cross preparation, Table of estimates and compare to undertaking responses, Many emails	JCS	8.8
20210801	Outline of issues, Spreadsheets, Review further evidence, Many emails	JCS	7.1
20210802	Cross preparation, Initial preparation of compendium, Many emails, Review additional evidence	JCS	4.1
20210803	Test Run, Cross preparation, Many emails, Review schedule, Prepare spreadsheet, Review compendia of others	JCS	10.8
20210803	emails/p. call w. S. Grice/p. call w. JCS	MR	1.1
20210804	Attend at hearing, Prep, Many emails, Review transcript, Review updated hearing schedule	JCS	10.9
20210804	D20 Hearing	FZ	6.5
20210805	D20 Hearing	FZ	7
20210805	monitor hearing/emails/p. call w. JCS/ on issues to address	MR	1.6
20210805	Attend at hearing	JCS	7.5
20210805	Prep , Many emails, Review transcripts for Day 3, Finalize and file compendium	JCS	5.8
20210806	Attend at hearing, Prep, Many emails, Review transcript	JCS	8.2
20210806	D20 Hearing	FZ	4
20210806	monitor hearing/emails/p. call. w. JCS to provide views on issues to address	MR	1

20210806	emails/review confidentiality claim to determine if submissions to be made	MR	0.3
20210817	Many emails	JCS	0.2
20210817	emails	MR	0.2
20210818	Review undertaking responses	JCS	2
20210819	Outline of issues in argument, Review undertaking responses	JCS	1.2
20210820	Review Argument in Chief, Analysis of issues	JCS	1
20210822	Review transcripts, Review AIC references	JCS	3.1
20210823	Review transcripts and evidence, Many emails, Outline of major points	JCS	4.5
20210823	emails	MR	0.1
20210824	Review transcripts, Many emails, Review AMPCO/CCC proposed positions	JCS	2.4
20210825	Review evidence, Many emails	JCS	3.3
20210825	Email Jay regarding SMR argument, review D20 hearing notes and official transcript	FZ	0.6
20210826	Review evidence, Many emails	JCS	4.6
20210826	emails	MR	0.3
20210826	Review transcript and filed evidence, discussion with Mark	FZ	4
20210827	Review evidence, Many emails re SMR draft	JCS	1.4
20210827	Review transcript and filed evidence, draft Final Argument	FZ	6.8
20210828	Draft and edit Final Argument	FZ	1.5
20210828	Drafting argument, Many emails, Research into citations	JCS	6.1
20210829	Drafting argument, Editing Fred's draft materials, Many emails, Issues analysis with Mark, Review AMPCO material	JCS	3.6
20210830	review SMR draft/email comments on JCS	MR	0.5
20210830	Drafting argument, Reviewing drafts, Many emails, Circulate full draft, Review confidentiality decision	JCS	12.2
20210831	Drafting and finalizing argument, Review arguments of others, Review new transcripts, Many emails	JCS	10.8
20210831	review final submissions/emails	MR	1.5
20210901	Review final arguments of others	JCS	2
20210916	Review proposed regulatory change, Many emails	JCS	0.2
20210918	Review new filing	JCS	0.2
20210921	Initial review of reply	JCS	0.3
20210922	Review OPG letter	JCS	0.1
20210923	Review reply argument	JCS	2.3
20211012	Client reporting	JCS	0.4
20211111	Review OEB letter	JCS	0.1
20211111	review letter	MR	0.1
20211112	Various emails	JCS	0.1
20211112	emails re: lockup	MR	0.1
20211115	Review decision, Client impact calculation, Client reporting, Many emails	JCS	2.2
20211115	review decision/emails	MR	1
20211119	Various emails	JCS	0.1
20211119	emails w. SG re: impact of decision	MR	0.3
20211129	Initial review of DPAO, Many emails	JCS	0.5
20211129	preliminary review of DRO/emails/disc. w. JCS	MR	0.2
20211202	review PAO/email to JCS review details and issues	MR	1.1
20211202	Many emails, Review Mark's DPAO analysis	JCS	0.2
20211206	Detailed review of DPAO, Draft and file submissions, Review submissions of others, Many emails	JCS	3.7

20211213	Review DRO response	JCS	0.2
20211216	review interim rate decision	MR	0.1
20220112	Review DPAO decision and reporting	JCS	0.2
20220113	Review final DPAO decision	JCS	0.1
			886.1

CASE EB-2020-0290: Rates: Generation: Ontario Power Generation Inc.	COST CLAIM EB-2020-0290 : 1 : Mark Rubenstein	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.com	PARTICIPANT CLAIM STATUS Submitted
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FILING PARTICIPANT	NEW PARTICIPANT Yes	NON-FILING PARTICIPANT F. NAME Jay	NON-FILING PARTICIPANT L. NAME Shepherd
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SERVICE PROVIDER TYPE Legal Counsel	YEAR CALLED TO BAR 1980	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE 41	HOURLY RATE 330
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CV STATUS (FOR CONSULTANT/ANALYST) CV Required	LAST CV DATE	HST RATE CHARGED 13.00
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HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No
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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>
Review Application and Evidence						
Review Application and Evidence	19.80	330	6,534.00	13.00	849.42	7,383.42
Discovery						
Preparation of Interrogatories	34.30	330	11,319.00	13.00	1,471.47	12,790.47
Review Interrogatory Responses	32.30	330	10,659.00	13.00	1,385.67	12,044.67
Technical Conference Preparation	17.00	330	5,610.00	13.00	729.30	6,339.30
Technical Conference Attendance	8.50	330	2,805.00	13.00	364.65	3,169.65
Technical Conference Follow Up	7.00	330	2,310.00	13.00	300.30	2,610.30
Issues List						
Preparation	9.30	330	3,069.00	13.00	398.97	3,467.97
Attendance at Issues Conference	5.70	330	1,881.00	13.00	244.53	2,125.53
Intervenor Evidence						
Preparation		330		13.00		
Interrogatory Responses		330		13.00		
Preparation of Witness(es) for Attendance at Hearing		330		13.00		
Settlement Conference / ADR						
Preparation	24.30	330	8,019.00	13.00	1,042.47	9,061.47
Attendance	35.60	330	11,748.00	13.00	1,527.24	13,275.24
Preparation of Settlement Proposal	7.60	330	2,508.00	13.00	326.04	2,834.04
Attendance at Presentation to Panel		330		13.00		
Oral Hearing						
Preparation	51.50	330	16,995.00	13.00	2,209.35	19,204.35
Attendance at Oral Hearing	26.60	330	8,778.00	13.00	1,141.14	9,919.14
Submissions						
Written Submissions	61.50	330	20,295.00	13.00	2,638.35	22,933.35
Oral Submissions		330		13.00		
Attendance at Oral Submissions		330		13.00		
Other Attendance						
Other Attendance		330		13.00		
Communication						
With Client	6.00	330	1,980.00	13.00	257.40	2,237.40
With Other Parties	1.00	330	330.00	13.00	42.90	372.90
Motions						
Preparation of Motion(s) Materials	1.20	330	396.00	13.00	51.48	447.48
Prepare Submissions on the Motion(s)	1.00	330	330.00	13.00	42.90	372.90
Attendance at Hearing on Motion(s)	1.00	330	330.00	13.00	42.90	372.90
Confidentiality						

Preparation of Application for Confidentiality		330		13.00		
Prepare Submissions on Confidentiality	0.60	330	198.00	13.00	25.74	223.74
Attendance at Hearing on Confidentiality		330		13.00		
Decision						
Review	1.70	330	561.00	13.00	72.93	633.93
Rate Order						
Review	0.90	330	297.00	13.00	38.61	335.61
Prepare Submission on Rate Order	3.70	330	1,221.00	13.00	158.73	1,379.73
Total Service Provider Fees						
Total Service Provider Fees:			118,173.00		15,362.49	133,535.49

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Docket Notice.pdf	Time Docket	

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Related Disbursement Claim</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
Docket Notice.pdf		Time Docket	Hearings	

Combined detailed dockets attached to Participant - Mark Rubenstein

CASE	COST CLAIM	INTERVENOR NAME	PARTICIPANT CLAIM STATUS
EB-2020-0290: Rates: Generation: Ontario Power Generation Inc.	EB-2020-0290 : 1 : Mark Rubenstein	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.com	Submitted

FILING PARTICIPANT	NEW PARTICIPANT	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
	Yes	Fred	Zheng

SERVICE PROVIDER TYPE	YEAR CALLED TO BAR	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE	HOURLY RATE
Legal Counsel	2020	1	170

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

HEARINGS	CONSULTATIONS	DISBURSEMENTS
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>
Review Application and Evidence						
Review Application and Evidence	31.00	170	5,270.00	13.00	685.10	5,955.10
Discovery						
Preparation of Interrogatories		170		13.00		
Review Interrogatory Responses	11.00	170	1,870.00	13.00	243.10	2,113.10
Technical Conference Preparation		170		13.00		
Technical Conference Attendance		170		13.00		
Technical Conference Follow Up		170		13.00		
Issues List						
Preparation		170		13.00		
Attendance at Issues Conference		170		13.00		
Intervenor Evidence						
Preparation		170		13.00		
Interrogatory Responses		170		13.00		
Preparation of Witness(es) for Attendance at Hearing		170		13.00		
Settlement Conference / ADR						
Preparation	6.90	170	1,173.00	13.00	152.49	1,325.49
Attendance		170		13.00		
Preparation of Settlement Proposal		170		13.00		
Attendance at Presentation to Panel		170		13.00		
Oral Hearing						
Preparation	42.00	170	7,140.00	13.00	928.20	8,068.20
Attendance at Oral Hearing		170		13.00		
Submissions						
Written Submissions	12.90	170	2,193.00	13.00	285.09	2,478.09
Oral Submissions		170		13.00		
Attendance at Oral Submissions		170		13.00		
Other Attendance						
Other Attendance		170		13.00		
Communication						
With Client		170		13.00		
With Other Parties		170		13.00		
Motions						
Preparation of Motion(s) Materials		170		13.00		
Prepare Submissions on the Motion(s)		170		13.00		
Attendance at Hearing on Motion(s)		170		13.00		
Confidentiality						

Preparation of Application for Confidentiality	170	13.00	
Prepare Submissions on Confidentiality	170	13.00	
Attendance at Hearing on Confidentiality	170	13.00	
Decision			
Review	170	13.00	
Rate Order			
Review	170	13.00	
Prepare Submission on Rate Order	170	13.00	
Total Service Provider Fees			
Total Service Provider Fees:	17,646.00	2,293.98	19,939.98

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Docket Notice.pdf	Time Docket	

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Related Disbursement Claim</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
Docket Notice.pdf		Time Docket	Hearings	

Combined detailed dockets attached to Participant - Mark Rubenstein