



**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

March 10, 2022  
Our File: EB20210041

**Attn: Nancy Marconi, Registrar**

Dear Ms. Marconi:

**Re: EB-2021-0041 – London Hydro 2022 – 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.

The undersigned has carriage for this matter, on behalf of SEC. Senior counsel, Jay Shepherd, was also involved and provided assistance as it related to London Hydro’s request under section 71(4) of the *Ontario Energy Board Act* regarding certain Green Button services, due to his expertise on that specific issue, including as a member of the OEB’s Green Button Implementation Task Force (EB-2021-0183).

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

Mark Rubenstein

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

# EB-2021-0041 : 1 : Mark Rubenstein

COST CLAIM NUMBER 274	SUBMISSION DEADLINE DATE March 10, 2022	CLAIM STATUS Submitted
EB# EB-2021-0041: Rates: Distribution: London Hydro 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 (\$)	Participant Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	21,103.88	Submitted
No	,	Shepherd, Jay; +1 (647) 804-2767 jay@shepherdrubenstein.com	1,566.18	Submitted

**ATTACHMENTS**

Attachment	Attachment Date	Participant	Document Type	Claim Type	Import Message
EB-2021-0041 LH Cover Letter.pdf			Cover Letter		

TOTAL LEGAL/CONSULTANT/OTHER FEES 20,062.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 2,608.06
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TOTAL CLAIM 22,670.06	TOTAL AMOUNT AWARDED
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REASON FOR DISALLOWANCE	REASON FOR DISALLOWANCE - 2	REASON FOR DISALLOWANCE - 3
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MAKE CHEQUE PAYABLE TO  
Shepherd Rubenstein Professional Corporation, in trust

SEND PAYMENT TO ADDRESS 2200 Yonge Street Suite 1302 Toronto, ON M4S 2C6	ATTENTION
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**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 March 10, 2022
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**Mark Rubenstein**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0041: Rates: Distribution: London Hydro Inc.	EB-2021-0041 : 1 : Mark Rubenstein	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.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@shepherdrubenstein.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		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	7.80	230	1,794.00	13.00	233.22	2,027.22
<b>Discovery</b>						
Preparation of Interrogatories	9.90	230	2,277.00	13.00	296.01	2,573.01
Review Interrogatory Responses	10.00	230	2,300.00	13.00	299.00	2,599.00
Technical Conference Preparation		230		13.00		
Technical Conference Attendance		230		13.00		
Technical Conference Follow Up		230		13.00		
<b>Issues List</b>						
Preparation	0.80	230	184.00	13.00	23.92	207.92
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	20.10	230	4,623.00	13.00	600.99	5,223.99
Attendance	18.20	230	4,186.00	13.00	544.18	4,730.18
Preparation of Settlement Proposal	11.80	230	2,714.00	13.00	352.82	3,066.82
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		230		13.00		
Oral Submissions		230		13.00		
Attendance at Oral Submissions		230		13.00		
<b>Other Attendance</b>						
Other Attendance		230		13.00		
<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	1.80	230	414.00	13.00	53.82	467.82
Prepare Submissions on Confidentiality		230		13.00		
Attendance at Hearing on Confidentiality		230		13.00		
<b>Decision</b>						
Review	0.80	230	184.00	13.00	23.92	207.92
<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:			18,676.00		2,427.88	21,103.88

## Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Client Fees Listing Sheet.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>
Client Fees Listing Sheet.pdf		Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
20210914	Review notice and application, Various emails	JCS	0.3
20210927	preliminary review of application/draft Notice/emails/p. call. w. JY (BS)	MR	1
20211018	review PO	MR	0.3
20211019	review draft issues list and consider/emails	MR	0.6
20211022	review Bd letter re: issues list	MR	0.1
20211027	research/review Application/draft IRs	MR	6.5
20211028	review Application and draft IRs	MR	4.9
20211029	review issues list decision	MR	0.1
20211029	research/review Application/draft IRs	MR	2.5
20211101	emails/review Staff IRs	MR	0.5
20211102	Review OEB Staff IRs, Many emails, Review evidence	JCS	0.9
20211102	review BG issues/emails	MR	0.5
20211103	emails/p. call w. SG	MR	0.4
20211105	Review interrogatories of others	JCS	0.2
20211105	edit and finalize IRs/emails/review other parties IRs	MR	1.1
20211122	emails/preliminary review of IRR	MR	1.2
20211123	Initial review of Green Button responses	JCS	0.2
20211123	review IRR/emails/p. call w. S. Grice	MR	5.5
20211124	p. call w. Shelley Grice/review IRR and prepare for Settlement Conference/send pre-settlement conference ADR questions	MR	6.6
20211125	prepare for Settlement Conference	MR	3.4
20211126	Many emails, Send past decision	JCS	0.2
20211126	prepare for settlement conference/review letter re: confidential request/emails/p. call w. Randy	MR	3.7
20211128	Many emails	JCS	0.4
20211128	review clarification questioner responses/emails/prepare for Settlement Conference	MR	3
20211129	attend Settlement Conference	MR	8.1
20211129	prepare for Day 2 of Settlement Conference/draft offer/do further analysis/p., call w. disc. w. JCS re: 71(4) exemption	MR	2.4
20211129	Many emails, Telephone conversation with Mark, Review evidence and IRR	JCS	1.3
20211130	Many emails	JCS	0.2
20211130	attend Settlement Conference	MR	4.6
20211130	emails re: prepare for Day 3	MR	0.5
20211201	disc. w. intervenors/attend Settlement Conference	MR	5.5
20211201	emails/prepare for Day 3 of Settlement Conference	MR	0.5
20211201	Many emails, Telephone conversation with Mark	JCS	0.4
20211202	attend Settlement Conference	MR	3.4
20211202	review LH draft letter/emails	MR	0.1
20211202	Various emails	JCS	0.1
20220103	preliminary review of Settlement emails	MR	0.5
20220104	review of settlement proposals and models/provide comments and proposed edits/many emails/review other parties comments and edits	MR	3.2
20220105	prepare for intervenor meeting	MR	0.4
20220105	intervenor meeting to discuss Settlement Proposal issues/consolidate comments and edits and send back to LH	MR	1.8
20220110	review revise confidentiality request/draft confidential submissions/review Staff submissions	MR	1.5
20220111	review letter	MR	0.1

20220117	emails/prel review of second version of Settlement Proposal/review LH confidentiality reply sub	MR	0.5
20220118	emails	MR	0.1
20220119	emails	MR	0.3
20220120	review Settlement Proposal, models and provide further comments and edits	MR	1.7
20220121	emails/review and consolidate comments/send back to LH	MR	1
20220124	emails re: extention letter	MR	0.1
20220125	review OEB letter	MR	0.1
20220126	emails/preliminary review of third draft of Settlement Proposal and models	MR	0.8
20220127	many emails	MR	0.3
20220131	emails/review final version of Settlement Proposal	MR	0.5
20220201	emails	MR	0.1
20220207	review OEB Staff sub	MR	0.4
20220222	review decision on confidentiality	MR	0.2
20220224	review final decision on settlement/emails	MR	0.5
20220302	review OEB letter	MR	0.1
			85.4

**Jay Shepherd**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0041: Rates: Distribution: London Hydro Inc.	EB-2021-0041 : 1 : Mark Rubenstein	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.com	Submitted

<b>FILING PARTICIPANT</b>	<b>NEW PARTICIPANT</b>	<b>NON-FILING PARTICIPANT F. NAME</b>	<b>NON-FILING PARTICIPANT L. NAME</b>
Shepherd, Jay; +1 (647) 804-2767 jay@shepherdubenstein.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	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	1.10	330	363.00	13.00	47.19	410.19
<b>Discovery</b>						
Preparation of Interrogatories	0.30	330	99.00	13.00	12.87	111.87
Review Interrogatory Responses	0.20	330	66.00	13.00	8.58	74.58
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	2.50	330	825.00	13.00	107.25	932.25
Attendance		330		13.00		
Preparation of Settlement Proposal	0.10	330	33.00	13.00	4.29	37.29
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		330		13.00		
Oral Submissions		330		13.00		
Attendance at Oral Submissions		330		13.00		
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With Client		330		13.00		
With Other Parties		330		13.00		
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Preparation of Motion(s) Materials		330		13.00		
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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:		1,386.00	180.18	1,566.18

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20211102	Review OEB Staff IRs, Many emails, Review evidence	JCS	0.9
20211102	review BG issues/emails	MR	0.5
20211103	emails/p. call w. SG	MR	0.4
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20211130	Many emails	JCS	0.2
20211130	attend Settlement Conference	MR	4.6
20211130	emails re: prepare for Day 3	MR	0.5
20211201	disc. w. intervenors/attend Settlement Conference	MR	5.5
20211201	emails/prepare for Day 3 of Settlement Conference	MR	0.5
20211201	Many emails, Telephone conversation with Mark	JCS	0.4
20211202	attend Settlement Conference	MR	3.4
20211202	review LH draft letter/emails	MR	0.1
20211202	Various emails	JCS	0.1
20220103	preliminary review of Settlement emails	MR	0.5
20220104	review of settlement proposals and models/provide comments and proposed edits/many emails/review other parties comments and edits	MR	3.2
20220105	prepare for intervenor meeting	MR	0.4
20220105	intervenor meeting to discuss Settlement Proposal issues/consolidate comments and edits and send back to LH	MR	1.8
20220110	review revise confidentiality request/draft confidential submissions/review Staff submissions	MR	1.5
20220111	review letter	MR	0.1

20220117	emails/prel review of second version of Settlement Proposal/review LH confidentiality reply sub	MR	0.5
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20220124	emails re: extention letter	MR	0.1
20220125	review OEB letter	MR	0.1
20220126	emails/preliminary review of third draft of Settlement Proposal and models	MR	0.8
20220127	many emails	MR	0.3
20220131	emails/review final version of Settlement Proposal	MR	0.5
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20220302	review OEB letter	MR	0.1
			85.4