



**BY EMAIL and RESS**

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

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

April 6, 2022  
Our File: EB20210052

**Attn: Nancy Marconi, Registrar**

Dear Ms. Marconi:

**Re: EB-2021-0052 – Ottawa River Power 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.

SEC junior counsel, Fred Zheng, had carriage of this matter, with the undersigned providing general assistance and having specific responsibility for certain discrete technical issues (ACM true-up, accounting matters, PILs, deferral and variance accounts). This arrangement allowed for a more cost-effective participation in this proceeding. We have also decided to not claim 5 hours of time for Mr. Zheng and will consider that learning time.

SEC is aware of the guidance provided in a recent [London Hydro decision \(EB-2021-0041\)](#) regarding how the OEB would prefer symmetry between cost claim categories and dockets. Since much of the activity in this matter occurred before the new OEB cost claim system had been implemented, and before this recent guidance, we have been unable to do so. What we have done, is for the purpose of cost claim categorization, where dockets include both reviewing evidence and preparing interrogatories, or reviewing interrogatory responses and preparing for the settlement conference, we have allocated 50% to each specific category activity. With that said, as a practical matter, each set of activities are done at the same time and so cannot be readily extricable (e.g. we are preparing IRs as we review the evidence).

Lastly, we note that we have included time under the 'Other Attendance' category for time related to preparation and attending the pre-filing meeting.

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

Mark Rubenstein

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

**Shepherd Rubenstein Professional Corporation | Regulatory Law**  
2200 Yonge Street, Suite 1302 T. (416) 483-3300 F. (416) 483-3305  
Toronto, ON M4S 2C6 shepherdrubenstein.com

EB-2021-0052 : 1 : Mark Rubenstein

COST CLAIM NUMBER 370	SUBMISSION DEADLINE DATE April 06, 2022	CLAIM STATUS Approved by Finance
EB# EB-2021-0052: Rates: Distribution: Ottawa River Power Corporation	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	,	Zheng, Fred; +1 (647) 483-0114 fred@shepherdrubenstein.com	13,447.00 Submitted
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	3,664.59 Submitted

ATTACHMENTS

Attachment	Attachment Date	Participant	Document Type	Claim Type	Import Message
EB-2021-0041 OR Cover Letter.pdf			Cover Letter		
SEC EB-2021-0052 Cost Claim 040620221455.pdf					

TOTAL LEGAL/CONSULTANT/OTHER FEES 15,143.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 1,968.59
TOTAL CLAIM 17,111.59	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  
April 06, 2022

**Fred Zheng**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0052: Rates:	EB-2021-0052 : 1 : Mark	Rubenstein, Mark; +1 (647)	Submitted
Distribution: Ottawa River Power Corporation	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>
Zheng, Fred; +1 (647) 483-0114	No		
fred@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	2020	1	170

<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	17.20	170	2,924.00	13.00	380.12	3,304.12
<b>Discovery</b>						
Preparation of Interrogatories	13.30	170	2,261.00	13.00	293.93	2,554.93
Review Interrogatory Responses	8.95	170	1,521.50	13.00	197.80	1,719.30
Technical Conference Preparation		170		13.00		
Technical Conference Attendance		170		13.00		
Technical Conference Follow Up		170		13.00		
<b>Issues List</b>						
Preparation		170		13.00		
Attendance at Issues Conference		170		13.00		
<b>Intervenor Evidence</b>						
Preparation		170		13.00		
Interrogatory Responses		170		13.00		
Preparation of Witness(es) for Attendance at Hearing		170		13.00		
<b>Settlement Conference / ADR</b>						
Preparation	13.25	170	2,252.50	13.00	292.82	2,545.32
Attendance	13.00	170	2,210.00	13.00	287.30	2,497.30
Preparation of Settlement Proposal	4.30	170	731.00	13.00	95.03	826.03
Attendance at Presentation to Panel		170		13.00		
<b>Oral Hearing</b>						
Preparation		170		13.00		
Attendance at Oral Hearing		170		13.00		
<b>Submissions</b>						
Written Submissions		170		13.00		
Oral Submissions		170		13.00		
Attendance at Oral Submissions		170		13.00		
<b>Other Attendance</b>						
Other Attendance		170		13.00		
<b>Communication</b>						
With Client		170		13.00		
With Other Parties		170		13.00		
<b>Motions</b>						
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		
<b>Confidentiality</b>						

Preparation of Application for Confidentiality	170	13.00	
Prepare Submissions on Confidentiality	170	13.00	
Attendance at Hearing on Confidentiality	170	13.00	
<b>Decision</b>			
Review	170	13.00	
<b>Rate Order</b>			
Review	170	13.00	
Prepare Submission on Rate Order	170	13.00	
<b>Total Service Provider Fees</b>			
Total Service Provider Fees:	11,900.00	1,547.00	13,447.00

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## Attachments

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

Date	Explanation	Lwyr	Hours
20210602	emails	MR	0.1
20210604	emails	MR	0.1
20210622	prepare for pre-filing meeting	MR	0.3
20210623	attend pre-filing meeting	MR	0.6
20211025	review Notice/emails	MR	0.2
20211102	emails	MR	0.1
20211103	emails	MR	0.1
20211108	emails/preliminary review of Application/prepare and file NOI	MR	1
20211115	Respond to VECC email re scheduling	FZ	0.1
20211115	emails	MR	0.1
20211116	Preliminary review of evidence filed	FZ	4.5
20211123	Review exhibits and draft IRs	FZ	2.7
20211124	Review evidence filed	FZ	2.1
20211125	Review exhibits and draft IRs	FZ	3.5
20211126	Review exhibits and draft IRs	FZ	5.8
20211129	Review exhibits and draft IRs	FZ	6.8
20211130	Review exhibits and draft IRs	FZ	7.2
20211201	review FZ draft IRs/review evidence and provide additions and edits	MR	2.5
20211201	Prepare IRs	FZ	1.5
20211202	Review Mark's edit and review IR	FZ	1.3
20220104	Discussion with Mark	FZ	0.3
20220104	Review exhibits and IR responses, prepare for Settlement Conference	FZ	3
20220104	Zoom chat with FZ	MR	0.3
20220105	Review exhibits and IR responses, prepare for Settlement Conference	FZ	7.8
20220105	emails	MR	0.1
20220106	Review exhibits and IR responses, prepare for Settlement Conference	FZ	7.1
20220106	review IRR and materials/prepare for settlement prep meeting with FZ	MR	3.5
20220107	Preparation for Settlement Conference, discussion with Mark	FZ	2
20220107	meeting with FZ to prepare for Settlement Conference	MR	2.1
20220110	Prepare and attend Settlement Conference	FZ	8
20220110	attend Settlement Conference re: ACM and DVA issues	MR	1.2
20220111	prepare for settlement conference	FZ	2
20220111	Prepare and attend Settlement Conference	FZ	5
20220111	attend Settlement Conference for DVA issue	MR	0.5
20220112	Many emails	FZ	0.2
20220112	emails	MR	0.1
20220127	Review and comment on Settlement Proposal	FZ	2.1
20220127	review Settlement Proposal comments and edits of FZ/emails	MR	0.3
20220128	Many emails and discussion re: Settlement Proposal	FZ	0.3
20220128	emails/p. call w. FZ	MR	0.2
20220204	review email	FZ	0.1
20220208	emails	MR	0.1
20220209	emails/review OEB letter	MR	0.1
20220210	edit and comment on Settlement Proposal	FZ	1
20220218	emails	MR	0.1
20220218	review Settlement Proposal	FZ	0.4
20220223	emails	MR	0.1
20220224	emails	MR	0.1
20220224	review Settlement Proposal	FZ	0.2

20220225	emails	MR	0.1
20220324	review OEB decision/email	MR	0.1
			89.1

**Mark Rubenstein**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0052: Rates:	EB-2021-0052 : 1 : Mark	Rubenstein, Mark; +1 (647)	Submitted
Distribution: Ottawa River Power Corporation	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	2.75	230	632.50	13.00	82.22	714.72
<b>Discovery</b>						
Preparation of Interrogatories	1.25	230	287.50	13.00	37.38	324.88
Review Interrogatory Responses	1.75	230	402.50	13.00	52.32	454.82
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	4.25	230	977.50	13.00	127.08	1,104.58
Attendance	1.70	230	391.00	13.00	50.83	441.83
Preparation of Settlement Proposal	1.20	230	276.00	13.00	35.88	311.88
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	1.10	230	253.00	13.00	32.89	285.89
<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		230		13.00		
Attendance at Hearing on Confidentiality		230		13.00		
<b>Decision</b>						
Review	0.10	230	23.00	13.00	2.99	25.99
<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:			3,243.00		421.59	3,664.59

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## Attachments

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

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## Hearings, Consultations, Disbursements Attachments

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20210604	emails	MR	0.1
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20210623	attend pre-filing meeting	MR	0.6
20211025	review Notice/emails	MR	0.2
20211102	emails	MR	0.1
20211103	emails	MR	0.1
20211108	emails/preliminary review of Application/prepare and file NOI	MR	1
20211115	Respond to VECC email re scheduling	FZ	0.1
20211115	emails	MR	0.1
20211116	Preliminary review of evidence filed	FZ	4.5
20211123	Review exhibits and draft IRs	FZ	2.7
20211124	Review evidence filed	FZ	2.1
20211125	Review exhibits and draft IRs	FZ	3.5
20211126	Review exhibits and draft IRs	FZ	5.8
20211129	Review exhibits and draft IRs	FZ	6.8
20211130	Review exhibits and draft IRs	FZ	7.2
20211201	review FZ draft IRs/review evidence and provide additions and edits	MR	2.5
20211201	Prepare IRs	FZ	1.5
20211202	Review Mark's edit and review IR	FZ	1.3
20220104	Discussion with Mark	FZ	0.3
20220104	Review exhibits and IR responses, prepare for Settlement Conference	FZ	3
20220104	Zoom chat with FZ	MR	0.3
20220105	Review exhibits and IR responses, prepare for Settlement Conference	FZ	7.8
20220105	emails	MR	0.1
20220106	Review exhibits and IR responses, prepare for Settlement Conference	FZ	7.1
20220106	review IRR and materials/prepare for settlement prep meeting with FZ	MR	3.5
20220107	Preparation for Settlement Conference, discussion with Mark	FZ	2
20220107	meeting with FZ to prepare for Settlement Conference	MR	2.1
20220110	Prepare and attend Settlement Conference	FZ	8
20220110	attend Settlement Conference re: ACM and DVA issues	MR	1.2
20220111	prepare for settlement conference	FZ	2
20220111	Prepare and attend Settlement Conference	FZ	5
20220111	attend Settlement Conference for DVA issue	MR	0.5
20220112	Many emails	FZ	0.2
20220112	emails	MR	0.1
20220127	Review and comment on Settlement Proposal	FZ	2.1
20220127	review Settlement Proposal comments and edits of FZ/emails	MR	0.3
20220128	Many emails and discussion re: Settlement Proposal	FZ	0.3
20220128	emails/p. call w. FZ	MR	0.2
20220204	review email	FZ	0.1
20220208	emails	MR	0.1
20220209	emails/review OEB letter	MR	0.1
20220210	edit and comment on Settlement Proposal	FZ	1
20220218	emails	MR	0.1
20220218	review Settlement Proposal	FZ	0.4
20220223	emails	MR	0.1
20220224	emails	MR	0.1
20220224	review Settlement Proposal	FZ	0.2

20220225	emails	MR	0.1
20220324	review OEB decision/email	MR	0.1
			89.1