



By EMAIL and RESS

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

December 6, 2022
Our File: EB20220049

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

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2022-0049 – Milton 2023 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 proceeding involved interrogatories and a successful ADR, as well as a number of procedural issues. Counsel Mark Rubenstein had carriage initially, and did the early procedural steps, but then counsel Jay Shepherd took over and carried the rest of the case. There was no overlap, as can be seen by the dockets.

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 horizontal line.

Jay Shepherd

cc: Brian McKay, SEC (by email)
Interested Parties (by email)

EB-2022-0049 : 1 : Glenda Masters

COST CLAIM NUMBER 889	SUBMISSION DEADLINE DATE December 06, 2022	CLAIM STATUS Approved by Finance
EB# EB-2022-0049: Rates: Distribution: Milton Hydro Distribution Inc.	OTHER EB#S	PHASE #* 1
INTERVENOR Masters, Glenda; +1 (416) 483-3300 Glenda@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	,	Shepherd, Jay; +1 (416) 804-2767 jay@shepherdrubenstein.com	25,730.10	Submitted
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	1,533.41	Submitted

ATTACHMENTS

Attachment	Attachment Date	Participant	Document Type	Claim Type	Import Message
SEC_CoverLtr_Milton_20221206.pdf			Cover Letter		
SEC EB-2022-0049 Cost Claim 120620221417.pdf					

TOTAL LEGAL/CONSULTANT/OTHER FEES 24,127.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 3,136.51
TOTAL CLAIM 27,263.51	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
Glenda Masters

DATE SUBMITTED
December 06, 2022

Jay Shepherd

CASE	COST CLAIM	INTERVENOR NAME	PARTICIPANT CLAIM STATUS
EB-2022-0049: Rates: Distribution: Milton Hydro Distribution Inc.	EB-2022-0049 : 1 : Glenda Masters	Masters, Glenda; +1 (416) 483-3300 Glenda@shepherdrubenstein.com	Submitted

FILING PARTICIPANT	NEW PARTICIPANT	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
Shepherd, Jay; +1 (416) 804-2767 jay@shepherdrubenstein.com	No		

SERVICE PROVIDER TYPE	YEAR CALLED TO BAR	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE	HOURLY RATE
Legal Counsel	1980	41	330

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	9.60	330	3,168.00	13.00	411.84	3,579.84
Discovery						
Preparation of Interrogatories	6.00	330	1,980.00	13.00	257.40	2,237.40
Review Interrogatory Responses	9.10	330	3,003.00	13.00	390.39	3,393.39
Technical Conference Preparation		330		13.00		
Technical Conference Attendance		330		13.00		
Technical Conference Follow Up		330		13.00		
Issues List						
Preparation		330		13.00		
Attendance at Issues Conference		330		13.00		
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	12.00	330	3,960.00	13.00	514.80	4,474.80
Attendance	22.70	330	7,491.00	13.00	973.83	8,464.83
Preparation of Settlement Proposal	9.20	330	3,036.00	13.00	394.68	3,430.68
Attendance at Presentation to Panel		330		13.00		
Oral Hearing						
Preparation		330		13.00		
Attendance at Oral Hearing		330		13.00		
Submissions						
Written Submissions		330		13.00		
Oral Submissions		330		13.00		
Attendance at Oral Submissions		330		13.00		
Other Attendance						
Other Attendance		330		13.00		
Communication						
With Client		330		13.00		
With Other Parties		330		13.00		
Motions						
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		
Confidentiality						

Preparation of Application for Confidentiality		330		13.00		
Prepare Submissions on Confidentiality		330		13.00		
Attendance at Hearing on Confidentiality		330		13.00		
Decision						
Review	0.40	330	132.00	13.00	17.16	149.16
Rate Order						
Review		330		13.00		
Prepare Submission on Rate Order		330		13.00		
Total Service Provider Fees						
Total Service Provider Fees:			22,770.00		2,960.10	25,730.10

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
SEC_Dockets_Milton_20221206.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>
SEC_Dockets_Milton_20221206.pdf		Time Docket	Hearings	

Date	Explanation	Lwyr	Hours	MR
20220314	review letter/email	MR		0.2
20220315	emails	MR		0.1
20220511	School impact spreadsheet, Various emails	JCS	0.3	
20220511	review Notice/emails	MR		0.1
20220516	review NOI/emails	MR		0.3
20220517	emails/file NOI/p. call re: issues in Milton	MR		0.6
20220519	disc w. J. Girvan re:Milton	MR		0.1
20220525	review Milton letter re: amending application/review documents/email to OEB Staff	MR		0.3
20220606	review PO/emails	MR		0.3
20220607	sign and file D&U/emails/draft objection letter re: PwC report withdrawal	MR		1.5
20220608	Meet with Mark	JCS	0.1	
20220608	emails/p. call w. T. Paplov (MH counsel)/finalize and file objection letter	MR		0.5
20220610	emails/p. call w. T. Paplov	MR		0.3
20220613	review OEB Staff subs on confidentiality and withdrawal request	MR		0.1
20220614	emails/review Schewchun objection	MR		0.1
20220615	review draft issues list/emails	MR		0.2
20220615	emails	MR		0.3
20220617	emails/zoom chat w. JCS regarding case	MR		0.3
20220620	review reply submission on withdrawal request	MR		0.2
20220621	review Milton corr	MR		0.1
20220628	Review evidence	JCS	1.4	
20220629	Review decision on confidentiality and issues list	JCS	0.4	
20220629	email/review confidentiality decision and issues list	MR		0.2
20220630	Review Applicant's letter, Review evidence, Various emails	JCS	1	
20220630	review Milton corr	MR		0.1
20220703	Review evidence	JCS	4.6	
20220704	Review Staff IRs, Drafting, revise and file interrogatories, Many emails, Research, Review interrogatories of others	JCS	7.8	
20220718	Review benchmarking info	JCS	0.4	
20220722	Many emails, Prep for ADR	JCS	0.5	
20220725	Many emails, Review new material, Review IRR	JCS	2	
20220726	Draft and file Declaration, Many emails, Review IRR	JCS	1.3	
20220727	Review VECC questions, Many emails	JCS	0.3	
20220729	Review Staff questions, Many emails	JCS	0.3	
20220730	Prep for ADR	JCS	2.3	
20220801	Prep for ADR, Many emails	JCS	11	
20220802	Attend at ADR, Further prep, Analysis of additional materials, Many emails	JCS	10.1	
20220803	Attend at ADR, Further analysis of expert reports, Many emails	JCS	8.8	
20220804	Analysis of cost of capital issues	JCS	2	
20220805	Attend at ADR, Many emails	JCS	4.8	
20220808	Review letter and suggest edits, Many emails	JCS	0.3	
20220809	Find case and send info to individual intervenor, Review updated filing	JCS	0.8	
20220816	Many emails	JCS	0.1	
20220817	Review agreement and models, Provide edits and comments, Many emails	JCS	1.7	
20220818	Many emails, Review VECC comments	JCS	0.4	
20220819	Many emails re tax error, Review models	JCS	2.5	
20220820	Many emails	JCS	0.3	
20220821	Many emails	JCS	0.1	
20220822	Many emails, Consolidate intervenor comments, Responses to JOL	JCS	1.3	
20220823	Many emails	JCS	0.3	
20220824	Many emails, Review calculations	JCS	0.5	
20220825	Review new version, Many emails	JCS	0.5	
20220826	Many emails and telephone calls	JCS	0.3	
20220829	Various emails	JCS	0.1	
20221013	Review decision, Impacts	JCS	0.2	
20221129	Review final decision and impact analysis	JCS	0.2	
			69	5.9

\$22,770.00 \$1,357.00
 \$24,127.00
 \$3,136.51
 \$27,263.51

Mark Rubenstein

CASE	COST CLAIM	INTERVENOR NAME	PARTICIPANT CLAIM STATUS
EB-2022-0049: Rates: Distribution: Milton Hydro Distribution Inc.	EB-2022-0049 : 1 : Glenda Masters	Masters, Glenda; +1 (416) 483-3300 Glenda@shepherdrubenstein.com	Submitted

FILING PARTICIPANT	NEW PARTICIPANT	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.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	2.00	230	460.00	13.00	59.80	519.80
Discovery						
Preparation of Interrogatories		230		13.00		
Review Interrogatory Responses		230		13.00		
Technical Conference Preparation		230		13.00		
Technical Conference Attendance		230		13.00		
Technical Conference Follow Up		230		13.00		
Issues List						
Preparation	1.80	230	414.00	13.00	53.82	467.82
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		230		13.00		
Attendance		230		13.00		
Preparation of Settlement Proposal		230		13.00		
Attendance at Presentation to Panel		230		13.00		
Oral Hearing						
Preparation		230		13.00		
Attendance at Oral Hearing		230		13.00		
Submissions						
Written Submissions		230		13.00		
Oral Submissions		230		13.00		
Attendance at Oral Submissions		230		13.00		
Other Attendance						
Other Attendance		230		13.00		
Communication						
With Client		230		13.00		
With Other Parties		230		13.00		
Motions						
Preparation of Motion(s) Materials	2.10	230	483.00	13.00	62.79	545.79
Prepare Submissions on the Motion(s)		230		13.00		
Attendance at Hearing on Motion(s)		230		13.00		
Confidentiality						

Preparation of Application for Confidentiality	230	13.00		
Prepare Submissions on Confidentiality	230	13.00		
Attendance at Hearing on Confidentiality	230	13.00		
Decision				
Review	230	13.00		
Rate Order				
Review	230	13.00		
Prepare Submission on Rate Order	230	13.00		
Total Service Provider Fees				
Total Service Provider Fees:	1,357.00	176.41	1,533.41	

Attachments

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20220511	review Notice/emails	MR		0.1
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20220517	emails/file NOI/p. call re: issues in Milton	MR		0.6
20220519	disc w. J. Girvan re:Milton	MR		0.1
20220525	review Milton letter re: amending application/review documents/email to OEB Staff	MR		0.3
20220606	review PO/emails	MR		0.3
20220607	sign and file D&U/emails/draft objection letter re: PwC report withdrawal	MR		1.5
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20220615	emails	MR		0.3
20220617	emails/zoom chat w. JCS regarding case	MR		0.3
20220620	review reply submission on withdrawal request	MR		0.2
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20220718	Review benchmarking info	JCS	0.4	
20220722	Many emails, Prep for ADR	JCS	0.5	
20220725	Many emails, Review new material, Review IRR	JCS	2	
20220726	Draft and file Declaration, Many emails, Review IRR	JCS	1.3	
20220727	Review VECC questions, Many emails	JCS	0.3	
20220729	Review Staff questions, Many emails	JCS	0.3	
20220730	Prep for ADR	JCS	2.3	
20220801	Prep for ADR, Many emails	JCS	11	
20220802	Attend at ADR, Further prep, Analysis of additional materials, Many emails	JCS	10.1	
20220803	Attend at ADR, Further analysis of expert reports, Many emails	JCS	8.8	
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20221013	Review decision, Impacts	JCS	0.2	
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			69	5.9

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