



**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

December 8, 2022  
Our File: EB20210243

**Attn: Nancy Marconi, Registrar**

Dear Ms. Marconi:

**Re: EB-2021-0243 – UTR Generic Proceeding – ETS Rate – 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.

The Export Transmission Service ("ETS") rate is a complicated matter with a lengthy history. SEC was involved in all aspects of the proceeding, which included a technical conference, a presentation day, an untranscribed discussion amongst the intervenors, and two rounds of detailed submissions. Certain intervenors (primarily those representing domestic loads) also participated in two separate meetings amongst themselves to share information and perspectives. SEC's participation has been responsible, and as can be seen by our detailed dockets, we have made efforts to coordinate activities and work with other parties.

Expert evidence was filed by both Hydro One (Elenchus and Charles Rivers Associates) and APPrO (Power Advisory), which was extremely helpful in understanding the various contours of the issues, but also required significant effort to understand and analyze. SEC provided detailed submissions, including confidential submissions on the Power Advisory model which was produced for the first time as a Technical Conference Undertaking Response.

For the purposes of cost claim categorization, time spent preparing and attending the presentation day have been included in the 'Oral Hearing' categories, and for the untranscribed discussion amongst the intervenors have been included under the 'Settlement Conference' categories. Where a docket includes multiple categories of activities, we have allocated 50% to each category. 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).

We also note, all time claimed for the undersigned, as of September 2022, have been included as a separate participant to reflect the change in the hourly rate related to the change in the number of completed years of practicing, pursuant to the *Practice Direction on Cost Awards*.



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

Mark Rubenstein

cc: Brian McKay, SEC (by email)

EB-2021-0243 : 1 : Mark Rubenstein

COST CLAIM NUMBER 906	SUBMISSION DEADLINE DATE December 08, 2022	CLAIM STATUS Approved by Finance
EB# EB-2021-0243: Rates: Policy-Related: Ontario Energy Board	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	8,356.35	Submitted
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	26,379.87	Submitted
No	,	Shepherd, Jay; +1 (416) 804-2767 jay@shepherdrubenstein.com	2,200.11	Submitted

ATTACHMENTS

Attachment	Attachment Date	Participant	Document Type	Claim Type	Import Message
Cover Letter.pdf			Cover Letter		
SEC EB-2021-0243 Cost Claim 120820221315.pdf					

TOTAL LEGAL/CONSULTANT/OTHER FEES 32,687.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 4,249.33
TOTAL CLAIM 36,936.33	TOTAL AMOUNT AWARDED	

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

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 December 08, 2022
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**Mark Rubenstein**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0243: Rates:	EB-2021-0243 : 1 : Mark	Rubenstein, Mark; +1 (647)	Submitted
Policy-Related: Ontario Energy Board	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>
Rubenstein, Mark; +1 (647) 483-0113	No		
mark@shepherdrubenstein.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	11	290

<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	0.00	290		13.00		
<b>Discovery</b>						
Preparation of Interrogatories		290		13.00		
Review Interrogatory Responses		290		13.00		
Technical Conference Preparation		290		13.00		
Technical Conference Attendance		290		13.00		
Technical Conference Follow Up		290		13.00		
<b>Issues List</b>						
Preparation		290		13.00		
Attendance at Issues Conference		290		13.00		
<b>Intervenor Evidence</b>						
Preparation		290		13.00		
Interrogatory Responses		290		13.00		
Preparation of Witness(es) for Attendance at Hearing		290		13.00		
<b>Settlement Conference / ADR</b>						
Preparation		290		13.00		
Attendance		290		13.00		
Preparation of Settlement Proposal		290		13.00		
Attendance at Presentation to Panel		290		13.00		
<b>Oral Hearing</b>						
Preparation		290		13.00		
Attendance at Oral Hearing		290		13.00		
<b>Submissions</b>						
Written Submissions	25.00	290	7,250.00	13.00	942.50	8,192.50
Oral Submissions		290		13.00		
Attendance at Oral Submissions		290		13.00		
<b>Other Attendance</b>						
Other Attendance		290		13.00		
<b>Communication</b>						
With Client		290		13.00		
With Other Parties		290		13.00		
<b>Motions</b>						
Preparation of Motion(s) Materials		290		13.00		
Prepare Submissions on the Motion(s)		290		13.00		
Attendance at Hearing on Motion(s)		290		13.00		
<b>Confidentiality</b>						

Preparation of Application for Confidentiality		290		13.00		
Prepare Submissions on Confidentiality		290		13.00		
Attendance at Hearing on Confidentiality		290		13.00		
<b>Decision</b>						
Review	0.50	290	145.00	13.00	18.85	163.85
<b>Rate Order</b>						
Review		290		13.00		
Prepare Submission on Rate Order		290		13.00		
<b>Total Service Provider Fees</b>						
Total Service Provider Fees:			7,395.00		961.35	8,356.35

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## Attachments

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

Date	Explanation	Lwyr	Hours
20210922	draft and file letter	MR	0.3
20211014	emails/preliminary review of Hydro One/IESO sub	MR	0.2
20211015	review Notice	MR	0.1
20211026	emails	MR	0.3
20211130	review PO	MR	0.3
20211216	emails/review submissions on issues list	MR	0.2
20220107	review APPrO corr	MR	0.1
20220204	review OEB letter	MR	0.1
20220218	review material/review previous ETS application evidence and decision/research	MR	4.5
20220222	review Application/draft IRs/research TRCA issues per IESO report/review previous ETS proceeding reports and records	MR	3.5
20220224	p. call w. S. Grice re: possible expert retention/emails/research issues	MR	2.9
20220228	p. call w. S. Grice/schedule intervenor email/emails	MR	0.3
20220301	emails	MR	0.1
20220310	emails with SG and BH re: Rhonda presentation	MR	0.5
20220314	review presentation and prepare for meeting		1.6
20220314	/attend intervenor meeting re ETS rate/emails	MR	2.5
20220315	review VECC draft IRs/consider yesterday meeting issues	MR	1.7
20220316	research issues related to meeting with parties	MR	1.5
20220323	edit and finalize IRs	MR	1
20220324	review Staff IRs and removed duplicate IRs	MR	0.8
20220325	review APPrO corr	MR	0.1
20220328	finalize and file IRs/review other parties IRs	MR	0.7
20220513	emails/preliminary review of IRR	MR	0.3
20220516	preliminary review of IRR	MR	0.7
20220527	emails/preliminary review of PA report	MR	0.3
20220603	review PA report	MR	3.1
20220614	review VECC draft IRs/prepare IRs/emails	MR	0.7
20220617	edit and file IRs/review other parties IRs/emails/p. call w. S. Pollock	MR	1.2
20220707	emails/preliminary review of APPrO Expert IRR	MR	0.5
20220710	emails	MR	0.1
20220720	emails	MR	0.1
20220721	review IRR and prepare for Technical Conference/research certain issues	MR	7.2
20220722	review PA IRR and prepare for TC	MR	3
20220725	review PA IRR and prepare for TC	MR	3.9
20220726	emails	MR	0.1
20220727	prepare for Technical Conference/emails	MR	2.2
20220728	attend Technical Conference	MR	7.1
20220728	attend discussion amongst parties/Staff after TC	MR	0.4
20220729	attend Technical Conference	MR	6
20220801	review transcript/prepare for untranscribed parties meeting	MR	2
20220802	emails/preliminary review of presentations	MR	0.3
20220803	emails/preparing for presentation day	MR	0.3
20220804	attend Presentation Day	MR	5.5
20220804	host and attend meeting among ratepayer intervenors/emails	MR	1.3
20220804	sign and file D&U/get access to JT 2.2 and undertake analysis of calculations/emails	MR	3
20220805	prepare for meeting of parties/detail analysis of JT 2.2 calculations/many emails/p. call w. B. Harper re: JT2.2/p. call w. J. Vellone/	MR	3.9

20220807	prepare for meeting of parties/review UT responses	MR	0.9
20220808	attend meeting of the parties	MR	6.5
20220808	draft submissions	MR	3.5
20220809	draft submissions/consider issues/emails	MR	3.1
20220811	emails	MR	0.1
20220823	p. call w. B. Harper/review VECC corr	MR	0.2
20220826	review OEB corr	MR	0.1
20220829	draft submissions	MR	4.2
20220830	draft submissions/draft confidential appendix	MR	4.4
20220831	draft submission	MR	3.6
20220901	draft submission/p. call w. S. Grice	MR	2.5
20220902	draft submission	MR	1.2
20220904	Review and edit submissions, Many emails	JCS	2.1
20220905	emails	MR	0.3
20220906	edit and finalize submissions/prepare confidential documents for filing/draft cover letter and file/review other parties submissions	MR	4.7
20220909	review submissions and outline reply	MR	3.2
20220912	emails/draft reply	MR	1.2
20220913	review APPrO letter	MR	0.1
20220919	draft reply sub	MR	1.4
20220920	draft reply submission	MR	1.1
20220921	draft reply submission	MR	2.2
20220922	draft reply submission	MR	3.6
20220923	emails	MR	0.3
20220924	Review and edit submissions	JCS	2.3
20220925	review VECC sub/edit and finalize submissions	MR	1.5
20220926	finalize and file reply sub/review other parties sub	MR	1.7
20220927	Review submissions of others	JCS	1.5
20221124	review decision/emails	MR	0.5
			134.5

**Mark Rubenstein**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0243: Rates:	EB-2021-0243 : 1 : Mark	Rubenstein, Mark; +1 (647)	Submitted
Policy-Related: Ontario Energy Board	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>
Rubenstein, Mark; +1 (647) 483-0113	No		
mark@shepherdrubenstein.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	14.05	230	3,231.50	13.00	420.10	3,651.60
<b>Discovery</b>						
Preparation of Interrogatories	9.45	230	2,173.50	13.00	282.56	2,456.06
Review Interrogatory Responses	8.75	230	2,012.50	13.00	261.63	2,274.13
Technical Conference Preparation	9.35	230	2,150.50	13.00	279.57	2,430.07
Technical Conference Attendance	13.10	230	3,013.00	13.00	391.69	3,404.69
Technical Conference Follow Up	7.40	230	1,702.00	13.00	221.26	1,923.26
<b>Issues List</b>						
Preparation	0.20	230	46.00	13.00	5.98	51.98
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	2.40	230	552.00	13.00	71.76	623.76
Attendance	6.50	230	1,495.00	13.00	194.35	1,689.35
Preparation of Settlement Proposal		230		13.00		
Attendance at Presentation to Panel		230		13.00		
<b>Oral Hearing</b>						
Preparation	0.60	230	138.00	13.00	17.94	155.94
Attendance at Oral Hearing	5.50	230	1,265.00	13.00	164.45	1,429.45
<b>Submissions</b>						
Written Submissions	19.20	230	4,416.00	13.00	574.08	4,990.08
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	5.00	230	1,150.00	13.00	149.50	1,299.50
<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	230	13.00	
<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:	23,345.00	3,034.87	26,379.87

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## Attachments

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

**Combined detailed dockets attached to Participant - Mark Rubenstein**

**Jay Shepherd**

<b>CASE</b>	<b>COST CLAIM</b>	<b>INTERVENOR NAME</b>	<b>PARTICIPANT CLAIM STATUS</b>
EB-2021-0243: Rates:	EB-2021-0243 : 1 : Mark	Rubenstein, Mark; +1 (647)	Submitted
Policy-Related: Ontario Energy Board	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>
Shepherd, Jay; +1 (416) 804-2767 jay@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	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	0.00	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	5.90	330	1,947.00	13.00	253.11	2,200.11
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:	1,947.00	253.11	2,200.11	

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## Attachments

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

**Combined detailed dockets attached to Participant - Mark Rubenstein**