

#### 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 January 8, 2023 Our File: EB20220044

#### Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

#### Re: EB-2022-0044 - Kingston Hydro 2023 - Cost Claim

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

We note that in addition to attendance over 3 days of the settlement conference by SEC consultant Jane Scott, we also claimed 2.2 hrs for the undersigned. This time was related to dealing with clarification questions, and consulting with respect to specific technical issues that arose during the negotiations that the undersigned had responsibility for.

For the purposes 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. 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 have also included time under the 'Other Attendance' category for activities related to preparation and attending the pre-filing meeting.

All time claimed for the undersigned, as of September 2022, has 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) Applicant (by email)

Shepherd RubensteinProfessional Corporation | Regulatory Law2200 Yonge Street, Suite 1302T. (416) 483-3300F. (416) 483-3305Toronto, ON M4S 2C6shepherdrubenstein.com

<u>EB-2022-0044 : 1 : Mark Rubenstein</u>									
COST CLAIM NUMBER 1079	SUBMISSION DEADLINE DATE January 10, 2023	CLAIM STATUS Approved by Finance							
EB# EB-2022-0044: Rates: Distribution: Kingston Hydro 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	EXTENSION DEADLINE DATE							

#### **PARTICIPANTS**

New	Non-Filing Participant First, Last Name	Filing Participant	Total (\$)	Participant Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	2,556.06	Submitted
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	987.63	Submitted
No	3	Shepherd, Jay; +1 (416) 804-2767 jay@shepherdrubenstein.com	1,081.41	Submitted
No	3	Scott, Jane ; +1 (647) 271-3174 jane_scott@rogers.com	14,543.11	Submitted

### ATTACHMENTS

Attachment	Attachment Date	Participant	Document Type	Claim Type	lmport Message
EB-2021-0044 KH Cover Letter.pdf			Cover Letter		
SEC EB-2022-0044 Cost Claim 010920232036.pdf			Letter		
TOTAL LEGAL/CONSULTANT/OTHER FEES 16,963.00	TOTAL DISBUR	SEMENTS 0.00			TOTAL HST 2,205.21
TOTAL CLAIM 19,168.21	TOTAL AMOUN	T AWARDED			
REASON FOR DISALLOWANCE	REASON FOR DISALLOWANC	E - 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 SUBMIT SECTION I am a representative of the Party. I have examined all of incurred and time spent are directly related to the Party's		••			
This cost claim does not include any costs for work done Party as described in section 6.05 and 6.09 of the OEB's	, or time spent, by	a person that is	s an employee		of the

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 January 09, 2023

		Mark Rubenstein						PARTICIPANT		
CASE EB-2022-0044: Rates: Distribution: Kingston Hydro Corporation	<b>COST CLA</b> EB-2022-0 Rubensteir	044:1:M	ark	Rubenste 483-0113	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com			CLAIM STATUS Submitted		
FILING PARTICIPANT Rubenstein, Mark; +1 (647) 48 mark@shepherdrubenstein.com			NEW PARTICIPA No	NON-FIL ANT PARTIC	ling Ipant F. Nam	E	NON-FILING PARTICIPANT I	NAME		
SERVICE PROVIDER TYPE Legal Counsel		<b>YEAR CA</b> 2011	ALLED TO B	PR	MPLETED YEA ACTICING/YEA LEVANT EXPE	ARS OF	HOURL	<b>Y RATE</b> 290		
CV STATUS (FOR CONSULTANT/ANALYST) CV Required		LAST CV	DATE			11	_	<b>RATE</b> RGED 13.00		
HEARINGS Yes		CONSUL No	TATIONS	<b>DIS</b> No	BURSEMENT	6				
HEARINGS										
<u>Name</u>			<u>Hours</u>	Hourly Rate	Sub Total	HST Rate	<u>HST</u>	<u>Total</u>		
Review Application and Evide Review Application and				290		13.00				
Discovery				290		13.00	,			
Preparation of Interroga	atories			290		13.00	)			
Review Interrogatory R	esponses		2.70	290	783.00	13.00		884.79		
Technical Conference F	•			290		13.00				
Technical Conference A				290		13.00				
Technical Conference F Issues List				290		13.00	1			
Preparation				290		13.00	)			
Attendance at Issues C	Conference			290		13.00				
Intervenor Evidence										
Preparation				290		13.00				
Interrogatory Response				290		13.00				
Preparation of Witness	(es) for Attend	lance		290		13.00	)			
at Hearing Settlement Conference / ADR										
Preparation			2.40	290	696.00	13.00	90.48	786.48		
Attendance			2.20	290	638.00	13.00		720.94		
Preparation of Settleme			0.20	290	58.00	13.00		65.54		
Attendance at Presenta	ation to Panel			290		13.00	)			
Oral Hearing Preparation				290		13.00	1			
Attendance at Oral Hea	arina			290		13.00				
Submissions	.9									
Written Submissions				290		13.00				
Oral Submissions				290		13.00				
Attendance at Oral Sub	omissions			290		13.00	)			
Other Attendance Other Attendance				290		13.00	1			
Communication				290		13.00	,			
With Client				290		13.00	)			
With Other Parties				290		13.00				
Motions										
Preparation of Motion(s	•			290		13.00				
Prepare Submissions of Attendence at Hearing	,	s)		290		13.00				
Attendance at Hearing	on wotion(s)			290		13.00	1			

Confidentiality

Mark Rubenstein

Preparation of Application for		290		13.00		
Confidentiality						
Prepare Submissions on Confidentiality		290		13.00		
Attendance at Hearing on Confidentiality		290		13.00		
Decision						
Review	0.30	290	87.00	13.00	11.31	98.31
Rate Order						
Review		290		13.00		
Prepare Submission on Rate Order		290		13.00		
Total Service Provider Fees						
Total Service Provider Fees:			2,262.00		294.06	2,556.06

#### Attachments

**Attachment** 

Client Fees Listing Sheet.pdf

Document Type Time Docket Import Message

# Hearings, Consultations, Disbursements Attachments

Attachment Fees Listing Sheet.pdf

Related Disbursement Claim

Document

TypeClaim TypeTime DocketHearings

Import Message

Date	Explanation	Lwyr	Hours
20220304	emails	MR	0.1
20220311	prepare for and attend pre-filing meeting	MR	1.7
20220721	Review application and circulate impacts, Email Jane	JCS	0.9
20220722	emails	MR	0.1
20220722	Revise and file NOI, Many emails	JCS	0.4
20220729	review PO	MR	0.1
20220729	Review PO#1 and Issues List, Various emails	JCS	0.4
20220803	Many emails, Review issues list	JCS	0.1
20220803	Review App/Evidence	JS	1
20220804	Many emails	JCS	0.1
20220810	Review App/Evidence	JS	3
20220811	Various emails, Analysis of consumption and related data for Jane	JCS	0.5
20220811	IR prep	JS	3
20220812	IR prep	JS	1
20220815	IR prep	JS	1
20220818	IR prep	JS	1
20220822	IR prep	JS	1
20220825	Review IRs, Various emails	JCS	0.2
20220825	emails	MR	0.1
20220829	Review final IRs and IRs of others	JCS	0.3
20220829	review application/review JS draft IRs and provide comments and some proposals	MR	1.5
20220830	emails/brief review other parties IRs	MR	0.2
20220913	Review IRR and prepare for SC	JS	1
20220919	emails/review Kingston letter/review OEB letter	MR	0.2
	Review IRRs and prepare for SC	JS	2.5
20220920		MR	0.1
20220921	Review IRRs and prepare for SC	JS	2
20220921		MR	0.1
20220922	edit and send pre-settlement conference clarification question	MR	0.3
	Prep for SC and Zoom meeting with MR	JS	2
	emails/video conference with JS to discuss case/review certain evidence and IRs	MR	2.5
20220927	Prep for SC and Zoom meeting with MR	JS	2
	Zoom meeting w. JS to discuss settlement/emails	MR	1.6
	Settlement Conference - Attend	JS	8
20220928	review clarification questions/attend portions of Settlement Conference to deal with	MR	1.2
	clarification questions and certain technical issues		
20220929	Settlement Conference - Attend	JS	4.5
20220929	attend Settlement Conference to discuss relevent issues	MR	0.5
20220930	Settlement Conference - Attend	JS	4
20220930	emails re: issues in advance of Day 3/review certain issues	MR	0.3
20220930	attend Settlement Conference to discuss relevent issues	MR	0.5
20221003	emails	MR	0.1
	Review Settlement Proposal	JS	1
20221014		MR	0.1
	Review Settlement Proposal	JS	0.5
	Review Draft Rate Order	JS	0.5
	Review decision/DRO decision/emails	MR	0.3
			53.5

			<u>Mark Ru</u>	<u>ıbenstein</u>			PARTICIPA	NT	
EB-2022-0044: Rates: EB-2022-0				Rubenste 483-0113	<b>NOR NAME</b> in, Mark; +1 (6 epherdrubenst		CLAIM STATUS Submitted		
FILING PARTICIPANT Rubenstein, Mark; +1 (647) 48 mark@shepherdrubenstein.cor			<b>NEW</b> PARTICIPA No	NON-FIL NT PARTIC	LING IPANT F. NAM		ON-FILING ARTICIPANT L	NAME	
SERVICE PROVIDER TYPE Legal Counsel		<b>YEAR C</b> 2011	ALLED TO B	PR	MPLETED YEA ACTICING/YEA LEVANT EXPE	ARS OF RIENCE	HOURL	<b>7 RATE</b> 230	
CV STATUS (FOR CONSULTANT/ANALYST) CV Required		LAST C	V DATE			10	-	<b>RATE</b> RGED 13.00	
HEARINGS Yes		<b>CONSU</b> No	LTATIONS	<b>DIS</b> No	BURSEMENT	5			
HEARINGS									
<u>Name</u>			<u>Hours</u>	Hourly Rate	Sub Total	HST Rate	<u>HST</u>	<u>Total</u>	
Review Application and Evide Review Application and			0.95	230	218.50	13.00	28.41	246.91	
Discovery	LVIGCINC		0.00	200	210.00	10.00	20.41	240.01	
Preparation of Interroga	atories		1.05	230	241.50	13.00	31.40	272.90	
Review Interrogatory R				230		13.00			
Technical Conference F				230		13.00			
Technical Conference A				230		13.00			
Technical Conference F Issues List	ollow Up			230		13.00			
Preparation				230		13.00			
Attendance at Issues C	onference			230		13.00			
Intervenor Evidence									
Preparation				230		13.00			
Interrogatory Response				230		13.00			
Preparation of Witness( at Hearing Settlement Conference / ADR		lance		230		13.00			
Preparation				230		13.00			
Attendance				230		13.00			
Preparation of Settleme				230		13.00			
Attendance at Presenta	tion to Panel			230		13.00			
Oral Hearing Propagation				220		12 00			
Preparation Attendance at Oral Hea	rina			230 230		13.00 13.00			
Submissions				200		10.00			
Written Submissions				230		13.00			
Oral Submissions				230		13.00			
Attendance at Oral Sub	missions			230		13.00			
Other Attendance			4 00	000	444.00	40.00	50.00	407.00	
Other Attendance Communication			1.80	230	414.00	13.00	53.82	467.82	
With Client				230		13.00			
With Other Parties				230		13.00			
Motions				200					
Preparation of Motion(s	) Materials			230		13.00			
Prepare Submissions o		s)		230		13.00			
Attendance at Hearing	,			230		13.00			
Confidentiality									

Mark Rubenstein

Preparation of Application for	230	13.00		
Confidentiality				
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:	874.00	)	113.63	987.63

#### Attachments

#### **Attachment**

Docket Notice.pdf

Document Type

Import Message

Time Docket

#### Hearings, Consultations, Disbursements Attachments

Attachment Docket Notice.pdf Related Disbursement Claim

**Document** 

TypeClaim TypeTime DocketHearings

Import Message

			Char	abard			Janua	ry 27, 202		
		<u>Jay</u>		PARTICIPANT						
CASECOST CLEB-2022-0044: Rates:EB-2022-0044: Rates:Distribution: Kingston HydroRubensteCorporationCorporation		044:1:Mark 1		Rubenstei 483-0113	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com			CLAIM STATUS Submitted		
FILING PARTICIPANT Shepherd, Jay; +1 (416) 804-2 jay@shepherdrubenstein.com	767	NEW PART No	ICIPANT	NON-FIL PARTICI	ING PANT F. NAM		NON-FILING PARTICIPANT L	NAME		
SERVICE PROVIDER TYPE Legal Counsel		YEAR CALLED	TO BAR	PRA	IPLETED YEA CTICING/YEA EVANT EXPE	ARS OF RIENCE	HOURLY	<b>/ RATE</b> 330		
CV STATUS (FOR CONSULTANT/ANALYST) CV Required	NSULTANT/ANALYST) LAST			41			HST RATE CHARGED 13.00			
<b>HEARINGS</b> Yes		CONSULTATION No	IS	<b>DISI</b> No	BURSEMENT	8				
HEARINGS										
<u>Name</u>		Ho	urs <u>H</u>	ourly Rate	Sub Total	HST Rate	HST	Total		
Review Application and Evide Review Application and		2.	40	330	792.00	13.00	102.96	894.96		
Discovery Preparation of Interroga	atories	0	50	330	165.00	13.00	21.45	186.45		
Review Interrogatory Re		0.		330	100.00	13.00	21.40	100.40		
Technical Conference F				330		13.00				
Technical Conference A				330		13.00				
Technical Conference F Issues List	ollow Up			330		13.00				
Preparation				330		13.00				
Attendance at Issues C	onference			330		13.00				
Intervenor Evidence										
Preparation				330		13.00				
Interrogatory Response Preparation of Witness(		ance		330 330		13.00 13.00				
at Hearing				550		13.00				
Settlement Conference / ADR Preparation				330		13.00				
Attendance				330		13.00				
Preparation of Settleme	ent Proposal			330		13.00				
Attendance at Presenta	tion to Panel			330		13.00				
Oral Hearing Propagation				330		13.00				
Preparation Attendance at Oral Hea	rina			330		13.00				
Submissions				000		.0.00				
Written Submissions				330		13.00				
Oral Submissions	minniana			330		13.00				
Attendance at Oral Sub Other Attendance	MISSIONS			330		13.00				
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 o		)		330		13.00				
Attendance at Hearing		,		330		13.00				
Confidentiality	. ,									

Preparation of Application for	330	13.00		
Confidentiality				
Prepare Submissions on Confidentiality	330	13.00		
Attendance at Hearing on Confidentiality	330	13.00		
Decision				
Review	330	13.00		
Rate Order				
Review	330	13.00		
Prepare Submission on Rate Order	330	13.00		
Total Service Provider Fees				
Total Service Provider Fees:	957.00		124.41	1,081.41

#### Attachments

#### **Attachment**

Docket Notice.pdf

Document Type

Import Message

Time Docket

### Hearings, Consultations, Disbursements Attachments

Attachment Docket Notice.pdf Related Disbursement Claim

**Document** 

TypeClaim TypeTime DocketHearings

Import Message

			lono	Saatt			Janu	ary 27, 202	
		<u>Jane Scott</u>					PARTICIPANT		
CASECOSEB-2022-0044: Rates:EB-2Distribution: Kingston HydroRubeCorporationCorporation		044 : 1 : Marl	K	Rubenstei 483-0113	<b>NOR NAME</b> n, Mark; +1 (6 epherdrubenst		CLAIM ST Submitted	ATUS	
FILING PARTICIPANT Scott, Jane ; +1 (647) 271-3174 jane_scott@rogers.com		<b>NEW</b> PARTICIPANT No			NON-FILING PARTICIPANT F. NAME			L. NAME	
SERVICE PROVIDER TYPE Consultant	-		YEAR CALLED TO BAR		COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE			<b>Y RATE</b> 330	
CV STATUS (FOR						20	цет	RATE	
CONSULTANT/ANALYST) CV Attached		LAST CV D. December 2						<b>ARGED</b> 13.00	
HEARINGS Yes		<b>CONSULTA</b> No	TIONS	<b>DIS</b> I No	BURSEMENT	6			
HEARINGS									
<u>Name</u>			<u>Hours</u>	Hourly Rate	Sub Total	HST Rate	<u>HST</u>	<u>Total</u>	
Review Application and Evider Review Application and			4.00	330	1,320.00	13.00	171.60	1,491.60	
Discovery Droporation of Interrogo	torioo		7.00	220	2 210 00	12.00	200.20	2 610 20	
Preparation of Interroga Review Interrogatory Re			7.00 5.25	330 330	2,310.00 1,732.50	13.00 13.00		2,610.30 1,957.73	
Technical Conference P			0.20	330	1,702.00	13.00		1,007.70	
Technical Conference A Technical Conference F	ttendance			330 330		13.00 13.00	)		
Issues List				550		13.00			
Preparation				330		13.00	)		
Attendance at Issues Co	onference			330		13.00	)		
Intervenor Evidence									
Preparation	_			330		13.00			
Interrogatory Responses		lance		330 330		13.00 13.00			
Preparation of Witness( at Hearing Settlement Conference / ADR		iai IUC		330		13.00	,		
Preparation			4.25	330	1,402.50	13.00	182.33	1,584.83	
Attendance			16.50	330	5,445.00	13.00		6,152.85	
Preparation of Settleme			1.50	330	495.00	13.00	64.35	559.35	
Attendance at Presentat	ion to Panel			330		13.00	)		
Oral Hearing Propagation				220		10.00	1		
Preparation Attendance at Oral Hear	ina			330 330		13.00 13.00			
Submissions				000		10.00			
Written Submissions				330		13.00	)		
Oral Submissions				330		13.00			
Attendance at Oral Subr	nissions			330		13.00	)		
Other Attendance Other Attendance				330		13.00	1		
Communication				550		13.00	,		
With Client				330		13.00	)		
With Other Parties				330		13.00			
Motions									
Preparation of Motion(s)				330		13.00			
						12 00			
Prepare Submissions or Attendance at Hearing of	,	S)		330 330		13.00 13.00			

Preparation of Application for		330		13.00		
Confidentiality						
Prepare Submissions on Confidentiality		330		13.00		
Attendance at Hearing on Confidentiality		330		13.00		
Decision						
Review		330		13.00		
Rate Order						
Review	0.50	330	165.00	13.00	21.45	186.45
Prepare Submission on Rate Order		330		13.00		
Total Service Provider Fees						
Total Service Provider Fees:			12,870.00		1,673.11	14,543.11

Import Message

# Attachments

Attac	hment

CV for PJSCOTT.pdf Docket Notice.pdf Docket Notice.pdf Document Type CV Time Docket Invoice

### Hearings, Consultations, Disbursements Attachments

0 /		Document_		
Attachment	Related Disbursement Claim	Type	<u>Claim Type</u>	Import Message
CV for		CV	Hearings	
PJSCOTT.pdf				
Docket Notice.pdf		Time Docke	Hearings	
Docket Notice.pdf		Invoice	Hearings	

CC\_Participant\_Combined.rpt - last Update 20211112 2:17 pm

# **Curriculum Vitae**

Patricia <u>Jane</u> Scott, P.Eng. MBA, LLM 48 Fentiman Ave. Ottawa, Ontario K1S 0T6 <u>Jane scott@rogers.com</u> 647-271-3174

# Work Experience

# Ontario Energy Board 2015 to 2021

- Manager of Major Applications
- Project Advisor

# Hydro Ottawa Limited 2000 to 2001, 2005 to 2014

- Acting Director, Regulatory Affairs
- Manager, Rates and Revenue
- Manager of Regulatory Affairs

## **City of Ottawa** 2002 to 2004

• Program Manager, Water Environment Protection

# Ottawa Hydro 1990 to 1999

• Planning Engineer

# Education

- Solar Photovoltaic Design and Installation Workshop, Canadian Solar Institute, December 8-12, 2014
- Osgoode Hall Law School, York University, Master of Law in Energy and Infrastructure (LLM), 2014
- Schulich School of Business, York University, Masters Certificate in Energy Sector Leadership, 2011
- University of Toronto, Master of Business Administration (MBA), 1986
- Queen's University, B.Sc. (Honours), Electrical Engineering, 1979