



BY EMAIL and RESS

Mark Rubenstein
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Dir. 647-483-0113

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

April 9, 2024
Our File: CO20230120

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2023-0278 – Consultation on Standby Rates Policy – Cost Claim

We are counsel to Northumberland Hills Hospital (“NHH”). Attached, please find NHH’s cost claim using the OEB’s cost claim system.

NHH requests that the OEB depart from the maximum total hours eligible for a cost award for preparation for the stakeholder meeting set out in its September 28, 2023 letter. In that letter, the OEB set the maximum number of preparation hours at 1.5 hours. After the consultation had begun, OEB Staff specifically reached out to NHH and asked them to consider giving a presentation at the stakeholder meeting to provide an LDG customer perspective. NHH agreed to do so. Based on the OEB’s March 28, 2024 letter, NHH’s presentation was clearly a benefit to the OEB, as demonstrated by much of the feedback on standby rate methodology referenced in the OEB’s letter was either discussed as part of the presentation, or spurred the subsequent participant discussion.

Preparing the presentation did require additional time above the 1.5 hours of cost-eligible preparatory time, that was clearly not considered as part of the setting of the initial maximum hours. NHH requests that it be awarded an additional 4.2 hours (\$1218), which based on the detailed dockets, was the incremental meeting preparation time required. As the OEB cost claim system does not allow a party to include hours over the maximum, we have not been able to include the requested 4.2 hours in the formal cost claim.

Yours very truly,
Shepherd Rubenstein P.C.

Mark Rubenstein

cc: NHH (by email)

EB-2023-0278 : 1 : Mark Rubenstein

COST CLAIM NUMBER 1986	SUBMISSION DEADLINE DATE April 11, 2024	CLAIM STATUS Approved by Finance
EB# EB-2023-0278: Initiatives: Regulatory Direction and Oversight: Ontario Energy Board	OTHER EB#S	PHASE #* 1
INTERVENOR Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.com	INTERVENOR COMPANY* Northumberland Hills Hospital, Cobourg: Institution	INTERVENOR TYPE Qualifying Non-Profit
HST RATE ONTARIO 0.00	EXCHANGE RATE	COUNTRY
HST NUMBER 895535698	LATE SUBMISSION ALLOWED No	EXTENSION DEADLINE DATE

PARTICIPANTS

New	Non-Filing Participant First, Last Name	Filing Participant	Total (\$)	Total Hours	Participant Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.c om	1,305.00	4.50	Submitted

ATTACHMENTS

Attachment	Document Type	Import Message
NHH_StandbyRates_CostClaim_Ltr_20240409.pdf	Cover Letter	
NHH EB-2023-0278 Cost Claim 040920241339.pdf		

TOTAL LEGAL/CONSULTANT/OTHER FEES 1,305.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 0.00
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TOTAL CLAIM 1,305.00	TOTAL AMOUNT AWARDED
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TOTAL HOURS CLAIMED 4.50	TOTAL HOURS DISALLOWED
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REASON FOR DISALLOWANCE	REASON FOR DISALLOWANCE - 2	REASON FOR DISALLOWANCE - 3
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MAKE CHEQUE PAYABLE TO
Northumberland Hills Hospital

SEND PAYMENT TO ADDRESS

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 09, 2024

CASE EB-2023-0278: Initiatives: Regulatory Direction and Oversight: Ontario Energy Board	COST CLAIM EB-2023-0278 : 1 : Mark Rubenstein	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.c om	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	NEW PARTICIPANT No	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 2011	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 11	HOURLY RATE 290
HST RATE CHARGED* 0.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Required	LAST CV DATE	OVERRIDE HOURLY RATE No
HST NUMBER 895535698	HEARINGS No	CONSULTATIONS Yes	DISBURSEMENTS No

CONSULTATION

Consultation Hours 4.50	Consultations Subtotal (\$) 1,305.00	Consultations Total Tax (\$) 0.00	Consultations Total (\$) 1,305.00
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<u>Description</u>	<u>Maximum Hours</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
1 Attendance and participation in the 1st stakeholder meeting	3.00	3.00	290	870.00	0.00		870.00
2 Preparation for 1st stakeholder meeting	1.50	1.50	290	435.00	0.00		435.00
Total Legal/Consultant Fees		4.50		1,305.00		0.00	1,305.00

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
CO-2023-0120 Revised Client Fees Listing.pdf	Time Docket	

Hearings, Consultations, Disbursements Attachments

Attachment

CO-2023-0120 Revised Client Fees
Listing.pdf

Document Type

Time Docket

Claim Type

Consultations

Import Message

Date	Explanation	Lwyr	Hours
20230928	review letter	MR	0.1
20231016	review materials and prepare for client meeting	MR	2
20231017	attend client meeting	MR	0.5
20231019	p. call w. Andrew Frank (OEB Staff) to discuss consultation	MR	0.2
20231022	draft participation request	MR	0.2
20231023	finalize and file participation request letter	MR	0.1
20231116	emails re: OEB Staff request for NHH presentation	MR	0.1
20231117	emails	MR	0.2
20231206	emails	MR	0.1
20231211	emails	MR	0.1
20231214	review OEB letter	MR	0.1
20231218	research standby issues for presentation	MR	1
20240102	research and prepare draft presentation/emails	MR	2.5
20240109	prepare and attend client meeting	MR	1.3
20240110	finalize presentation/emails/prepare for stakeholder meeting	MR	0.9
20240111	attend stakeholder meeting	MR	2.5
20240124	call with S. Walker (OAPPA) re: support for NHH standby rate position/emails	MR	0.4
			12.3