



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

May 27, 2024
Our File: EB20220157

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2022-0157 – EGI Panhandle Regional Expansion Project LTC – Cost Claim

We are counsel to the School Energy Coalition (“SEC”). Enclosed, please find SEC’s cost claim using the OEB’s cost claim system.

The application was for leave to construct a very significant capital project with a large financial cost to ratepayers. It also dealt with significant policy issues related to EBO 134 and the issue of the potential for capital contributions to be required by discrete transmission customers. As the OEB is aware, SEC intervened only after Enbridge filed its amended application but participated in all aspects after that date, including interrogatories, the oral hearing, and the submission of a comprehensive argument.

For the purposes of cost claim categorization, all docket time spent reviewing the evidentiary record before the date SEC intervened, including reviewing the interrogatory responses on the original application, and the Technical Conference transcripts, has been included in the ‘Read and Research Application and Evidence’ category.

SEC submits that its participation in this proceeding was thorough and valuable and was designed to maximize its assistance to the OEB in this matter. SEC therefore requests reimbursement of its reasonably incurred costs as set forth in the attached cost claim, which is commensurate with the scope of the issues.

Shepherd Rubenstein P.C.

Mark Rubenstein

cc: Brian MacKay, 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-2022-0157 : 2 : Mark Rubenstein

COST CLAIM NUMBER
2114

SUBMISSION DEADLINE DATE
May 28, 2024

CLAIM STATUS
Approved by Finance

EB#
EB-2022-0157: Facilities: Leave to Construct
(New): Enbridge Gas Inc.

OTHER EB#S

PHASE #*
2

INTERVENOR
Rubenstein, Mark; +1 (647) 483-0113
mark@shepherdubenstein.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	Total (\$)	Total Hours	Participant Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.com	29,493.01	90.00	Submitted
Yes	Jay , Shepherd		820.38	2.20	Submitted

ATTACHMENTS

Attachment	Document Type	Import Message
Cover Letter.pdf	Cover Letter	
SEC EB-2022-0157 Cost Claim 052720240923.pdf		

TOTAL LEGAL/CONSULTANT/OTHER FEES
26,826.00

TOTAL DISBURSEMENTS
0.00

TOTAL HST
3,487.39

TOTAL CLAIM
30,313.39

TOTAL AMOUNT AWARDED

TOTAL HOURS CLAIMED
92.20

TOTAL HOURS DISALLOWED

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
May 27, 2024

CASE EB-2022-0157: Facilities: Leave to Construct (New): Enbridge Gas Inc.	COST CLAIM EB-2022-0157 : 2 : Mark Rubenstein	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	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* 13.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Required	LAST CV DATE	OVERRIDE HOURLY RATE No
HST NUMBER 83673 5464 RT0001	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours 90.00	Hearings Subtotal (\$) 26,100.00	Hearings Total Tax (\$) 3,393.01	Hearings Total (\$) 29,493.01
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<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
DISCOVERY						
Read and Research Application and Evidence	9.35	290	2,711.50	13.00	352.50	3,064.00
Preparation of Interrogatories	3.25	290	942.50	13.00	122.53	1,065.03
Review Interrogatory Responses	7.20	290	2,088.00	13.00	271.44	2,359.44
Technical Conference Preparation		290		13.00		
Technical Conference Attendance		290		13.00		
Technical Conference Follow-up		290		13.00		
Subtotal of DISCOVERY	19.80		5,742.00		746.47	6,488.47
PROCEDURAL						
Preparation of Issues List Submission		290		13.00		
Attendance at Issues List Conference		290		13.00		
Preparation for a Confidentiality Request		290		13.00		
Prepare Submissions on Confidentiality		290		13.00		
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		
Review Procedural Documents	2.80	290	812.00	13.00	105.56	917.56

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Subtotal of PROCEDURAL	2.80		812.00		105.56	917.56
INTERVENOR EVIDENCE						
Preparation of Intervenor Evidence		290		13.00		
Interrogatory Responses		290		13.00		
Preparation of Witness(es) for Attendance at Hearing		290		13.00		
Subtotal of INTERVENOR EVIDENCE	0.00		0.00		0.00	0.00
SETTLEMENT CONFERENCE						
Preparation for Settlement Conference		290		13.00		
Attendance at Settlement Conference		290		13.00		
Preparation of Settlement Proposal		290		13.00		
Attendance at Presentation to Panel		290		13.00		
Subtotal of SETTLEMENT CONFERENCE	0.00		0.00		0.00	0.00
WRITTEN ARGUMENT						
Written Submissions	33.10	290	9,599.00	13.00	1,247.87	10,846.87
Subtotal of WRITTEN ARGUMENT	33.10		9,599.00		1,247.87	10,846.87
ORAL ARGUMENT						
Preparation for Oral Hearing	10.70	290	3,103.00	13.00	403.39	3,506.39
Attendance at Oral Hearing	22.50	290	6,525.00	13.00	848.25	7,373.25
Oral Submissions		290		13.00		
Attendance at Oral Submissions		290		13.00		
Subtotal of ORAL ARGUMENT	33.20		9,628.00		1,251.64	10,879.64
DECISION						
Review Decision	1.10	290	319.00	13.00	41.47	360.47
Review Rate/Accounting Order		290		13.00		
Prepare Submission on Rate Order		290		13.00		
Subtotal of DECISION	1.10		319.00		41.47	360.47
OTHER						
Other Attendance (e.g., Intervenor Conferences)		290		13.00		
Subtotal of OTHER	0.00		0.00		0.00	0.00
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees	90.00		26,100.00		3,393.01	29,493.01

Attachments

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

Hearings, Consultations, Disbursements Attachments

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

Date	Explanation	Lwyr	Hours
20220629	preliminary review of Application	MR	0.7
20230728	review Application and PO/draft late intervention letter	MR	1.2
20230801	finalize PREP late intervention letter	MR	0.3
20230810	review EGI corr	MR	0.1
20230810	review reply letter	MR	0.1
20230813	emails/draft reply response letter	MR	0.4
20230814	finalize and file letter	MR	0.2
20230817	review OEB letter/review Application and record	MR	2
20230827	review Application/review record/prepare IRs	MR	2.5
20230829	emails	MR	0.1
20230830	review parties corr	MR	0.2
20230904	review record/review TC transcripts/review ED evidence/prepare IRs	MR	4.6
20230906	review EG corr	MR	0.1
20230911	further consideration of record/draft, edit and finalize IRs/review other parties IRs	MR	1.9
20230918	emails/review corr	MR	0.1
20230921	emails/review PO	MR	0.2
20231004	prelim review of IRR	MR	1.5
20231005	file D&U	MR	0.1
20231011	review OEB corr	MR	0.1
20231012	review ED corr	MR	0.1
20231013	p. call w. Ian Mondrow	MR	0.3
20231016	emails	MR	0.2
20231017	review IRR/prepare for hearing	MR	5.1
20231018	prepare for hearing/emails/review corr	MR	4.5
20231019	emails/p. call w. I. Mondrow/review EGI Corr	MR	0.2
20231023	emails	MR	0.1
20231024	emails	MR	0.2
20231030	review PO/emails	MR	0.2
20231107	emails	MR	0.2
20231108	prepare for hearing/prepare compendium	MR	2.1
20231112	many emails/prepare for hearing	MR	1.8
20231113	attend hearing	MR	7.5
20231113	prepare for day 2/revise cross/review transcript	MR	1.2
20231114	attend hearing	MR	7.8
20231114	emails	MR	0.2
20231115	attend hearing	MR	7.2
20231120	review corr	MR	0.1
20231121	review FRPO corr	MR	0.1
20231122	emails/review OEB letter/prelim review of UT responses	MR	0.3
20231123	emails/review UT responses	MR	0.8

20231201	review Argument-in-Chief/emails/review response to panel question/consider issues and outline argument	MR	3.5
20231204	many emails/draft submission	MR	3.7
20231205	draft submission	MR	4.2
20231206	draft submission/many emails	MR	5.5
20231207	emails/draft submission	MR	5.4
20231208	draft argument	MR	0.6
20231209	draft argument	MR	1
20231211	emails	MR	0.1
20231211	review ED and EP draft arguments/emails	MR	0.5
20231212	Review and provide comments on submissions re ET issues, Review applicable elements of record, Many emails	JCS	2.2
20231212	draft, revise and edit argument	MR	1.2
20231212	draft, revise and edit argument	MR	0.6
20231213	draft, revise and edit argument	MR	1.2
20231214	finalize and file submission/review FRPO draft/review other parties submissions	MR	2.2
20240116	review corr	MR	0.1
20240117	review OEB corr	MR	0.1
20240130	review EG reply arg/emails	MR	2.1
20240205	review EG Corr	MR	0.2
20240215	review OEB corr	MR	0.1
20240514	review decision/emails	MR	1.1
			92.2

Jay Shepherd

CASE EB-2022-0157: Facilities: Leave to Construct (New): Enbridge Gas Inc.	COST CLAIM EB-2022-0157 : 2 : Mark Rubenstein	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.com	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT	NEW PARTICIPANT Yes	NON-FILING PARTICIPANT F. NAME Jay	NON-FILING PARTICIPANT L. NAME Shepherd
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 1980	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 44	HOURLY RATE 330
HST RATE CHARGED* 13.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Required	LAST CV DATE	OVERRIDE HOURLY RATE Yes
HST NUMBER 83673 5464 RT0001	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours	Hearings Subtotal (\$)	Hearings Total Tax (\$)	Hearings Total (\$)
2.20	726.00	94.38	820.38

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
DISCOVERY						
Read and Research Application and Evidence		330		13.00		
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		
Subtotal of DISCOVERY	0.00		0.00		0.00	0.00
PROCEDURAL						
Preparation of Issues List Submission		330		13.00		
Attendance at Issues List Conference		330		13.00		
Preparation for a Confidentiality Request		330		13.00		
Prepare Submissions on Confidentiality		330		13.00		
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		
Review Procedural Documents		330		13.00		

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Subtotal of PROCEDURAL	0.00		0.00		0.00	0.00
INTERVENOR EVIDENCE						
Preparation of Intervenor Evidence		330		13.00		
Interrogatory Responses		330		13.00		
Preparation of Witness(es) for Attendance at Hearing		330		13.00		
Subtotal of INTERVENOR EVIDENCE	0.00		0.00		0.00	0.00
SETTLEMENT CONFERENCE						
Preparation for Settlement Conference		330		13.00		
Attendance at Settlement Conference		330		13.00		
Preparation of Settlement Proposal		330		13.00		
Attendance at Presentation to Panel		330		13.00		
Subtotal of SETTLEMENT CONFERENCE	0.00		0.00		0.00	0.00
WRITTEN ARGUMENT						
Written Submissions	2.20	330	726.00	13.00	94.38	820.38
Subtotal of WRITTEN ARGUMENT	2.20		726.00		94.38	820.38
ORAL ARGUMENT						
Preparation for Oral Hearing		330		13.00		
Attendance at Oral Hearing		330		13.00		
Oral Submissions		330		13.00		
Attendance at Oral Submissions		330		13.00		
Subtotal of ORAL ARGUMENT	0.00		0.00		0.00	0.00
DECISION						
Review Decision		330		13.00		
Review Rate/Accounting Order		330		13.00		
Prepare Submission on Rate Order		330		13.00		
Subtotal of DECISION	0.00		0.00		0.00	0.00
OTHER						
Other Attendance (e.g., Intervenor Conferences)		330		13.00		
Subtotal of OTHER	0.00		0.00		0.00	0.00
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees	2.20		726.00		94.38	820.38

Attachments

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

Hearings, Consultations, Disbursements Attachments

<u>Attachment</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