



**BY EMAIL and RESS**

Jay Shepherd  
jay@shepherdrubenstein.com  
Direct: 416-804-2767

November 16, 2017  
Our File No. 20160296

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2016-0296/300/330 – 2017 Cap and Trade Plans – SEC Cost Claim**

We are counsel for the School Energy Coalition. We enclose the cost claim of the School Energy Coalition, on the Board's form and enclosing docket details.

Mark Rubenstein took primary responsibility for this matter, which was the first look by the Board at the initial cap and trade plans of the three gas distributors. Because of the unusual nature of the proceeding, and the client's particular interest in the subject-matter, Mr. Shepherd also took a role, primarily with client interactions and instructions, and review of final submissions. Incidental time spent by Mr. Shepherd during the course of the proceeding has not been included.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**

A handwritten signature in black ink, appearing to read "Jay Shepherd".

Jay Shepherd

cc: Wayne McNally, SEC (email)  
Interested Parties

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required (yellow-shaded) fields are filled in and the Affidavit portion is signed and sworn or affirmed.

**Instructions**

- Required data input is indicated by yellow-shaded fields. Formulas are embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.  
Rate: \_\_\_\_\_ Country: \_\_\_\_\_
- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each lawyer, analyst/consultant and articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

**Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

<b>File # EB-</b> <u>2016-0296/300/330</u>	<b>Process:</b> <u>Joint 2017 Cap and Trade Plan Proceeding</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Affiant's Name:</b> <u>Jay Shepherd</u>
<b>HST Number:</b> <u>83673-5464-RT0001</u>	<b>HST Rate Ontario:</b> <u>13.00%</u>
Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit <input type="checkbox"/>
Unregistered <input type="checkbox"/>	Tax Exempt <input type="checkbox"/>
Other <input type="checkbox"/>	

**Affidavit**

I, Jay Shepherd, of the City/Town of Toronto  
in the Province/State of Ontario, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. 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 sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

**Signature of Affiant**

Sworn or affirmed before me at the City/Town of Toronto,  
in the Province/State of Ontario, on November 16, 2017.  
(date)

**Commissioner for taking Affidavits**

SABA PARKAR

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2016-0296/300/330 Process: Joint 2017 Cap and Trade Plan Proceeding

Party: School Energy Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	12,160.00
Disbursements	\$	-
HST	\$	1,580.80
<b>Total Cost Claim</b>	<b>\$</b>	<b>13,740.80</b>

**Payment Information**

Make cheque payable to: Shepherd Rubenstein Professional Corporation, in trust

Send payment to this address: 2200 Yonge Street  
Suite 1302  
Toronto, Ontario  
M4S2C6

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

<b>File #</b> EB- <u>2016-0296/300/330</u>	<b>Process:</b> <u>Joint 2017 Cap and Trade Plan Proceeding</u>
<b>Party:</b> <u>School Energy Coalition</u>	<b>Service Provider Name:</b> <u>Jay Shepherd</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>
Legal Counsel <input checked="" type="checkbox"/>	<input type="text" value="1980"/>
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	
Analyst <input type="checkbox"/>	
For Consultant/Analyst: <input type="checkbox"/> CV attached	<b>Completed Years Practising/Years of Relevant Experience</b>
<input type="checkbox"/> CV provided within previous 24 months	<input type="text" value="37"/>
	<b>Hourly Rate:</b> <input type="text" value="\$330"/>
	<b>HST Rate Charged (enter %):</b> <input type="text" value="13.0%"/>

<b>Statement of Fees Being Claimed</b>					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	1.3	\$ 330.00	\$ 429.00	\$ 55.77	\$ 484.77
Responses		\$ 330.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	1.6	\$ 330.00	\$ 528.00	\$ 68.64	\$ 596.64
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>					
		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 957.00</b>	<b>\$ 124.41</b>	<b>\$ 1,081.41</b>

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**  
**Detail of Fees and Disbursements Being Claimed**



File # EB- 2016-0296/300/330

Process: Joint 2017 Cap and Trade Plan Proceeding

Party: School Energy Coalition

Service Provider Name: Jay Shepherd

Statement of Disbursements Being Claimed				
		Net Cost	HST	Total
Scanning/Photocopy				\$ -
Printing				\$ -
Courier				\$ -
Telephone/Fax				\$ -
Transcripts				\$ -
Travel: Air				\$ -
Travel: Car				\$ -
Travel: Rail				\$ -
Travel (Other):				\$ -
Parking				\$ -
Taxi				\$ -
Accommodation				\$ -
Meals				\$ -
Other:				\$ -
Other:				\$ -
Other:				\$ -
<b>TOTAL DISBURSEMENTS:</b>		\$ -	\$ -	\$ -

# Ontario Energy Board

## COST CLAIM FOR HEARINGS



### Detail of Fees and Disbursements Being Claimed

File # EB- <u>2016-0296/300/330</u>	Process: <u>Joint 2017 Cap and Trade Plan Proceeding</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Mark Rubenstein</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	Year Called to Bar <input type="text" value="2011"/>
Legal Counsel <input checked="" type="checkbox"/>	Completed Years Practising/Years of Relevant Experience <input type="text" value="5"/>
Articling Student/Paralegal <input type="checkbox"/>	
Consultant <input type="checkbox"/>	Hourly Rate: <input type="text" value="\$170"/>
Analyst <input type="checkbox"/>	
For Consultant/Analyst: <input type="checkbox"/> CV attached	HST Rate Charged (enter %): <input type="text" value="13.0%"/>
<input type="checkbox"/> CV provided within previous 24 months	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation	15.6	\$ 170.00	\$ 2,652.00	\$ 344.76	\$ 2,996.76
Responses	10.8	\$ 170.00	\$ 1,836.00	\$ 238.68	\$ 2,074.68
<b>Issues Conference</b>					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 170.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	10.8	\$ 170.00	\$ 1,836.00	\$ 238.68	\$ 2,074.68
<b>Oral Hearing</b>					
Preparation	14.2	\$ 170.00	\$ 2,414.00	\$ 313.82	\$ 2,727.82
Attendance	14.5	\$ 170.00	\$ 2,465.00	\$ 320.45	\$ 2,785.45
<b>Other Conferences</b>					
Preparation		\$ 170.00	\$ -	\$ -	\$ -
Attendance		\$ 170.00	\$ -	\$ -	\$ -
<b>Case Management</b>					
		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			<b>\$ 11,203.00</b>	<b>\$ 1,456.39</b>	<b>\$ 12,659.39</b>

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**  
**Detail of Fees and Disbursements Being Claimed**



File # EB- 2016-0296/300/330

Process: Joint 2017 Cap and Trade Plan Proceeding

Party: School Energy Coalition

Service Provider Name: Mark Rubenstein

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing			\$ -
Courier			\$ -
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
<b>TOTAL DISBURSEMENTS:</b>			
	\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Mark	Jay
20161115	emails/receive application	MR	0.6	
20161116	Review application, Various emails	JCS		0.4
20161128	emails/review notices	MR	0.2	
20161128	Review Notice and application	JCS		0.5
20161130	Client reporting	JCS		0.1
20161215	Meet with Mark, Review notice	JCS		0.3
20170111	review applications/review Board policy/research issues	MR	2.5	
20170113	review applications/research	MR	3.6	
20170117	review corr to NRG	MR	0.1	
20170118	emails re: updated evidence from Union	MR	0.2	
20170127	review PO	MR	0.3	
20170130	emails	MR	0.3	
20170131	emails	MR	0.1	
20170203	review applications	MR	0.5	
20170206	review application/emails/draft IR/research	MR	4.4	
20170216	emails/review Bd letter	MR	0.1	
20170217	emails/review PO/review Staff IRs	MR	0.4	
20170220	review applications and draft IRs	MR	1.5	
20170223	finalize IRs/draft cover letter/emails	MR	0.3	
20170224	file IRs/emails/review other parties IRs	MR	0.5	
20170317	emails/preliminary review UT responses	MR	0.6	
20170322	emails	MR	0.1	
20170404	emails/review Bd letter	MR	0.3	
20170406	emails	MR	0.2	
20170407	emails	MR	0.2	
20170412	begin to prepare for hearing	MR	1.5	
20170413	emails/review letter from Board	MR	0.2	
20170415	review IRR/prepare for hearing	MR	4.2	
20170416	review IRR/prepare for hearing/draft cross	MR	4.0	
20170417	prepare hearing/draft cross/prepare compendium	MR	4.5	
20170418	attend hearing	MR	8.1	
20170418	emails/review transcript/prepare for UG cross	MR	2.5	
20170419	prepare for Union Gas cross/prepare compendium	MR	3.0	
20170420	attend hearing/review NRG evidence and prepare for day 3	MR	8.1	
20170421	attend hearing/disc w parties	MR	2.0	
20170421	emails/prelim review of UT responses	MR	0.2	
20170428	emails/review Bd PO	MR	0.2	
20170503	review undertaking responses from Union and EGD	MR	0.2	
20170505	prelim review of A+C	MR	1.0	
20170506	review argument in chiefs and draft argument	MR	3.7	
20170512	complete draft of CT sub, make edits	MR	1.0	
20170515	Review and edit submissions	JCS		1.6
20170515	review and edit argument	MR	0.3	
20170516	p. call w. Philip at the IESO re DV/emails	MR	0.3	
20170517	emails	MR	0.1	
20170518	review APPRO draft argument on DV	MR	0.2	
20170519	emails w. J. Vellone re argument/review and finalize submission/review parties sub	MR	1.4	
20170523	review CCC sub	MR	0.2	
20170602	review reply arguments	MR	0.6	
20170919	review Bd direction re: lockup/emails	MR	0.1	
20170921	emails/review decision	MR	1.0	
20171019	emails/review parties comments on DRO	MR	0.3	
			65.9	2.9

11203 957  
957  
12160  
1580.8  
13740.8