



**BY EMAIL and RESS**

**Mark Rubenstein**  
mark@shepherd rubenstein.com  
Dir. 647-483-0113

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

August 2, 2024  
Our File: EB20240004

**Attn: Nancy Marconi, Registrar**

Dear Ms. Marconi:

**Re: EB-2024-0004 – IESO 2024-2025 – 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.

This was an unusual proceeding dealing with unique legal and policy issues regarding the ability of the IESO to seek its requested relief in light of the pre-existing approved Settlement Proposal, which resulted in detailed written arguments being filed.

The procedural steps in this proceeding were also unusual, in that the OEB ordered a settlement conference to be held before interrogatories. In light of that, for cost claim categorization purposes, time reviewing the Application in preparation for the Settlement Conference, is categorized under the 'Preparation for Settlement Conference'. Additionally, as shown by the detailed dockets, there was a significant amount of settlement related discussions between parties, certain intervenors, and with the facilitator after the end of the formal Settlement Conference. We have also categorized that time under the 'Preparation for Settlement Conference category.

The OEB will also know that SEC coordinated a joint letter amongst a number of customer group intervenors regarding procedural steps. As that time did not properly fit under any other category, we have included that time under 'Review Procedural Documents'.

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 and its role.

**Shepherd Rubenstein P.C.**

Mark Rubenstein

**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



cc: Brian MacKay, SEC (by email)  
Applicant (by email)

## EB-2024-0004 : 1 : Mark Rubenstein

COST CLAIM NUMBER  
2282

SUBMISSION DEADLINE DATE  
August 08, 2024

CLAIM STATUS  
Submitted

EB#  
EB-2024-0004: Rates: Distribution: Independent  
Electricity System Operator

OTHER EB#S

PHASE #\*  
1

INTERVENOR  
Rubenstein, Mark; +1 (647) 483-0113  
mark@shepherd rubenstein.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

			Total (\$)	Total Hours	Participant Claim Status
New	Non-Filing Participant First, Last Name	Filing Participant			
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd rubenstein.com	14,680.96	44.80	Submitted

### ATTACHMENTS

Attachment	Document Type	Import Message
EB-2024-0004 Cover Letter.pdf	Cover Letter	

TOTAL LEGAL/CONSULTANT/OTHER FEES  
12,992.00

TOTAL DISBURSEMENTS  
0.00

TOTAL HST  
1,688.96

TOTAL CLAIM  
14,680.96

TOTAL AMOUNT AWARDED

TOTAL HOURS CLAIMED  
44.80

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  
August 02, 2024

<b>CASE</b> EB-2024-0004: Rates: Distribution: Independent Electricity System Operator	<b>COST CLAIM</b> EB-2024-0004 : 1 : Mark Rubenstein	<b>INTERVENOR NAME</b> Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.c om	<b>PARTICIPANT CLAIM STATUS</b> Submitted
<b>FILING PARTICIPANT</b> Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.com	<b>NEW PARTICIPANT</b> No	<b>NON-FILING PARTICIPANT F. NAME</b>	<b>NON-FILING PARTICIPANT L. NAME</b>
<b>SERVICE PROVIDER TYPE*</b> Legal Counsel	<b>YEAR CALLED TO BAR*</b> 2011	<b>COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE*</b> 12	<b>HOURLY RATE</b> 290
<b>HST RATE CHARGED*</b> 13.00	<b>CV STATUS (FOR CONSULTANT/ANALYST)</b> CV Required	<b>LAST CV DATE</b>	<b>OVERRIDE HOURLY RATE</b> No
<b>HST NUMBER</b> 83673 5464 RT0001	<b>HEARINGS</b> Yes	<b>CONSULTATIONS</b> No	<b>DISBURSEMENTS</b> No

## HEARINGS

Hearings Hours	Hearings Subtotal (\$)	Hearings Total Tax (\$)	Hearings Total (\$)
44.80	12,992.00	1,688.96	14,680.96

  

<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>DISCOVERY</b>						
Read and Research Application and Evidence	1.80	290	522.00	13.00	67.86	589.86
Preparation of Interrogatories	0.30	290	87.00	13.00	11.31	98.31
Review Interrogatory Responses	3.80	290	1,102.00	13.00	143.26	1,245.26
Technical Conference Preparation		290		13.00		
Technical Conference Attendance		290		13.00		
Technical Conference Follow-up		290		13.00		
<b>Subtotal of DISCOVERY</b>	<b>5.90</b>		<b>1,711.00</b>		<b>222.43</b>	<b>1,933.43</b>
<b>PROCEDURAL</b>						
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	3.30	290	957.00	13.00	124.41	1,081.41

<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>Subtotal of PROCEDURAL</b>	<b>3.30</b>		<b>957.00</b>		<b>124.41</b>	<b>1,081.41</b>
<b>INTERVENOR EVIDENCE</b>						
Preparation of Intervenor Evidence		290		13.00		
Interrogatory Responses		290		13.00		
Preparation of Witness(es) for Attendance at Hearing		290		13.00		
<b>Subtotal of INTERVENOR EVIDENCE</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>SETTLEMENT CONFERENCE</b>						
Preparation for Settlement Conference	8.60	290	2,494.00	13.00	324.22	2,818.22
Attendance at Settlement Conference	10.50	290	3,045.00	13.00	395.85	3,440.85
Preparation of Settlement Proposal		290		13.00		
Attendance at Presentation to Panel		290		13.00		
<b>Subtotal of SETTLEMENT CONFERENCE</b>	<b>19.10</b>		<b>5,539.00</b>		<b>720.07</b>	<b>6,259.07</b>
<b>WRITTEN ARGUMENT</b>						
Written Submissions	16.10	290	4,669.00	13.00	606.97	5,275.97
<b>Subtotal of WRITTEN ARGUMENT</b>	<b>16.10</b>		<b>4,669.00</b>		<b>606.97</b>	<b>5,275.97</b>
<b>ORAL ARGUMENT</b>						
Preparation for Oral Hearing		290		13.00		
Attendance at Oral Hearing		290		13.00		
Oral Submissions		290		13.00		
Attendance at Oral Submissions		290		13.00		
<b>Subtotal of ORAL ARGUMENT</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>DECISION</b>						
Review Decision	0.40	290	116.00	13.00	15.08	131.08
Review Rate/Accounting Order		290		13.00		
Prepare Submission on Rate Order		290		13.00		
<b>Subtotal of DECISION</b>	<b>0.40</b>		<b>116.00</b>		<b>15.08</b>	<b>131.08</b>
<b>OTHER</b>						
Other Attendance (e.g., Intervenor Conferences)		290		13.00		
<b>Subtotal of OTHER</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>TOTAL SERVICE PROVIDER FEES</b>						
<b>Total Service Provider Fees</b>	<b>44.80</b>		<b>12,992.00</b>		<b>1,688.96</b>	<b>14,680.96</b>

## Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
EB-2024-0004 Client Fees Listing.pdf	Time Docket	

## Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
EB-2024-0004 Client Fees Listing.pdf	Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
20240212	review PO	MR	0.1
20240216	emails	MR	0.1
20240219	emails	MR	0.2
20240220	emails	MR	0.1
20240221	emails/p. call w. P. Duffy (IESO)	MR	0.3
20240222	emails/review Staff questions	MR	0.2
20240223	p. call w. S. Grice/review material	MR	2.5
20240226	prepare for Settlement Conference/review update information/p. call w. Avi Lipchitz (Renewable Consortium)	MR	1.2
20240227	attend Settlement Conference	MR	6
20240227	review materials sent/emails	MR	0.4
20240228	p. call w. S. Grice/discussion M. Garner/p. call w. AM (Facilitator)/review IESO information/many emails/prepare for Day 2	MR	1.2
20240229	attend Settlement Conference/discuss with parties/p. call w. AM (Facilitator)	MR	4.5
20240301	emails/p. call w. S. Grice/p. call w. AM (Facilitator)	MR	0.5
20240304	emails/p. call w. S. Grice/p. call w. AM (Facilitator)	MR	0.5
20240305	emails	MR	0.3
20240306	emails	MR	0.1
20240307	emails/review IESO letter	MR	0.1
20240308	Zoom meeting with intervenors/emails	MR	0.7
20240310	emails	MR	0.2
20240311	emails	MR	0.1
20240312	emails	MR	0.2
20240313	emails	MR	0.1
20240314	review IESO corr/review filings/emails/p. call w. AM (Facilitator)/draft letter	MR	1.5
20240315	finalize and edit letter/many emails between customer groups re: letter	MR	0.7
20240318	emails	MR	0.1
20240319	emails	MR	0.2
20240320	emails/review IESO corr	MR	0.1
20240322	review PO	MR	0.2
20240401	review evidence/draft IRs	MR	1.5
20240408	edit IRs	MR	0.2
20240409	finalize IRs	MR	0.1
20240410	emails/review other parties IRs	MR	0.2
20240411	emails	MR	0.1
20240424	preliminary review of IRR	MR	0.3
20240510	review IRR/review AinC	MR	3.5
20240512	draft Argument	MR	1.5
20240513	draft Arugment	MR	6.5
20240514	draft Argument	MR	3.5

20240515	emails	MR	0.1
20240517	edit submission/emails/work on table	MR	1.5
20240517	Review and edit SEC submissions, Various emails	JCS	1.5
20240521	finalize and file Argument/review other parties Argument	MR	1
20240523	review AMPCO sub	MR	0.2
20240604	review reply sub	MR	0.3
20240801	review decision/emails	MR	0.4
			44.8