



**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  
Approved by Finance

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

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

### ATTACHMENTS

| Attachment                                   | Document Type | Import Message |
|--|---------------|----------------|
| EB-2024-0004 Cover Letter.pdf                | Cover Letter  |                |
| SEC EB-2024-0004 Cost Claim 080220241553.pdf |               |                |

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

ATTENTION

2200 Yonge Street  
Suite 1302  
Toronto, ON  
M4S 2C6

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